

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

---

**FORTY-SIXTH DAY'S PROCEEDINGS**

**Twenty-Ninth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Friday, June 20, 2003

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

**ABSENT**

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

**Prayer**

The prayer was offered by Rev. Rodney Woods, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 98—**  
BY SENATOR MICHOT

**A RESOLUTION**

To urge and request the Department of Health and Hospitals to promulgate and publish rules and regulations to enhance the criteria for enrollment in the Louisiana Medical Assistance Program for providers of customized wheelchairs (manual or power), to enhance the prior authorization of requests for customized wheelchairs (manual or power) submitted on behalf of Medicaid recipients, and to provide for a deadline for providers of customized wheelchairs to come into compliance with such rules and regulations.

On motion of Senator Michot, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 99—**

BY SENATORS FONTENOT, BARHAM, BEAN, CAIN, CHAISSON, CRAVINS, DEAN, ELLINGTON, HINES, HOLDEN, HOYT, B. JONES, LAMBERT, SMITH AND THOMAS

**A RESOLUTION**

To urge and request the newly elected governor taking office in January 2004 to honor a commitment on the part of the state to certain local school systems and include in the executive budget proposal for FY 04-05 funding in the amount of three million seven hundred thousand dollars for the third and final payment by the state to such school systems to restore a one-time only reduction in funding for the pay raise for certificated personnel provided for in the minimum foundation program formula adopted by the State Board of Elementary and Secondary Education and approved by the legislature for the 2001-2002 school year.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 100—**

BY SENATOR GAUTREAUX

**A RESOLUTION**

To commend Adam Michael Crappel for setting a new world record in the American Power Lifting Association.

On motion of Senator Gautreaux, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 101—**

BY SENATORS HAINKEL, ADLEY, BAJOE, BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

**A RESOLUTION**

To commend Senator Ron Bean on his many achievements, accomplishments, contributions, and service to the people of our nation, the state of Louisiana, and Senate District 38 and to his colleagues in the Senate.

On motion of Senator Hainkel, the resolution was read by title and adopted.

**Privilege Report of the  
Legislative Bureau**

June 20, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

**HOUSE CONCURRENT RESOLUTION NO. 209—**  
BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT  
**A CONCURRENT RESOLUTION**

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

Reported without amendments.

**HOUSE BILL NO. 1685—**  
BY REPRESENTATIVES PEYCHAUD AND MURRAY  
**AN ACT**

To amend and reenact Sections 7(c), 9(b), (d), and (e), and 20(l) of Act No. 170 of the 1968 Regular Session as amended by Act No. 299 of the 1972 Regular Session and Act No. 135 of the 1994 Third Extraordinary Session, relative to the New Orleans Community Improvement Act; to provide relative to electorate approval of community improvement plans undertaken by the New Orleans Redevelopment Authority; to provide with respect to disposition of property by the authority; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1757—**  
BY REPRESENTATIVE WALSWORTH  
**AN ACT**

To enact R.S. 33:2740.55, to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1892—**  
BY REPRESENTATIVE WALSWORTH  
**AN ACT**

To enact R.S. 33:2493(C)(3), relative to admission requirements for certain fire or police service tests; to remove the requirement that an applicant for certain fire or police service tests shall be a qualified elector of the state; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—**  
BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD  
**AN ACT**

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2007 by Representative Landrieu

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Local and Municipal Affairs adopted by the Senate on June 19, 2003, on line 2, following "9," delete the remainder of the line and insert "between "pleading," and "he" insert "(1)""

AMENDMENT NO. 2

On page 2, line 26, following "property" and before "vacant" change "are" to "is"

AMENDMENT NO. 3

On page 10, line 7, following "R.S. 19:1367" and before the comma ", " change "(C)" to "(B)"

**HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend)—**  
BY REPRESENTATIVE TOWNSEND  
**AN ACT**

To amend and reenact R.S. 37:1041, 1042(A) and (C), 1046(B) and (C), 1048(3) and (4), 1050, 1051(A) and (C)(1), 1057, 1058, 1063(introductory paragraph), (1), and (2), and 1064(B) and (C), to enact R.S. 37:1041(A) and (B), 1042(D) and (E), 1048(5) and (6), 1049(6), 1063(B), (C), and (D), and 1064(F) and R.S. 44:4(37), and to repeal R.S. 37:1063(9), (10), and (11), relative to optometry; to provide for the public purpose; to provide for a limitation from liability; to provide for travel, hearings, and subpoena authority; to provide for licensure fees, violations, and civil penalties; to provide for exception to the public records law; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2029 by Representative Townsend

AMENDMENT NO. 1

On page 9, line 19, following "by" and before "is" change "Section 1056(1)" to "R.S. 37:1056(1)"

AMENDMENT NO. 2

On page 12, line 15, following "R.S." and before "is" change "37:1041(3)" to "37:1041(C)(3)"

Respectfully submitted,  
LOUIS LAMBERT  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lambert, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Reports of Committees**

The following reports of committees were received and read:

**SUPPLEMENTAL REPORT OF COMMITTEE ON**

**LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 19, 2003

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

**HOUSE BILL NO. 611—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1235—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To enact R.S. 33:4574.1-A(1), relative to the occupancy taxes levied by certain tourist commissions; to authorize certain tourist commissions to increase such taxes; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1404—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the proceeds derived from such tax; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1817—**

BY REPRESENTATIVES ODINET, RICHMOND, AND SWILLING

AN ACT

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1996—**

BY REPRESENTATIVE HONEY

AN ACT

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DIANA E. BAJOE  
Chairwoman

**REPORT OF COMMITTEE ON**

**TRANSPORTATION, HIGHWAYS, AND  
PUBLIC WORKS**

Senator Heitmeier, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

June 19, 2003

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 226—**

BY REPRESENTATIVE DEWITT

A CONCURRENT RESOLUTION

To create a task force to study the practicality and feasibility of constructing a bypass around the cities of Alexandria and Pineville to be known as the Alexandria-Pineville Loop.

Reported with amendments.

**HOUSE BILL NO. 458—**

BY REPRESENTATIVES CAZAYOUX AND BROOME

AN ACT

To amend and reenact R.S. 38:301(A)(3) as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature, relative to the authority of levee boards and levee and drainage boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in West Baton Rouge Parish; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 867—**

BY REPRESENTATIVES MORRELL AND PEYCHAUD

AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

**REPORT OF COMMITTEE ON**

**REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

June 19, 2003

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 260—**  
BY REPRESENTATIVES DOERGE, ALARIO, HAMMETT, AND MCDONALD

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Tax Commission to adopt rules and regulations to be followed by the state's assessors to delay the implementation of changes regarding the homestead exemption in response to findings by the Louisiana Legislative Auditor until after the 2004 Regular Session of the Legislature.

Reported favorably.

**HOUSE BILL NO. 1281—**  
BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 20, 2003

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

**HOUSE BILL NO. 530—**  
BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 47:9059, relative to lottery retailers; to provide for the commission lottery retailers receive on the sale of lottery tickets; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DONALD R. CRAVINS  
Chairman

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 458—**  
BY REPRESENTATIVES CAZAYOUX AND BROOME  
AN ACT

To amend and reenact R.S. 38:301(A)(3) as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature, relative to the authority of levee boards and levee and drainage boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in West Baton Rouge Parish; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 530—**  
BY REPRESENTATIVE FARRAR  
AN ACT

To enact R.S. 47:9059, relative to lottery retailers; to provide for the commission lottery retailers receive on the sale of lottery tickets; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 530 by Representative Farrar

AMENDMENT NO. 1  
On page 1, line 9, delete "at least"

AMENDMENT NO. 2  
On page 1, at the end of line 14 after "value" insert "of the Louisiana contribution to the funding of the actual grand prize."

AMENDMENT NO. 3  
On page 1, delete line 15 in its entirety.

On motion of Senator Cravins the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

**HOUSE BILL NO. 611—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 867—**  
BY REPRESENTATIVES MORRELL AND PEYCHAUD  
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 867 by Representative Morrell

##### AMENDMENT NO. 1

On page 3, line 14, change "Council on Aging" to "Recreational Department"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### **HOUSE BILL NO. 1235—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact R.S. 33:4574.1-A(1), relative to the occupancy taxes levied by certain tourist commissions; to authorize certain tourist commissions to increase such taxes; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1235 by Representative Cazayoux

##### AMENDMENT NO. 1

On page 1, line 4, after "date;" insert "to require ordinances by local governing authorities and a vote of the electorate before the tax may be levied and collected;"

##### AMENDMENT NO. 2

On page 1, line 10, after "I" insert "(1)"

##### AMENDMENT NO. 3

On page 1, between lines 16 and 17 insert the following:

"(2) Before the additional tax authorized by this Subsection may be levied and collected by the commission, the following shall occur:

(i) The governing authority shall enact an ordinance approving the additional tax levied by the commission.

(ii) A majority of the electors residing in the district shall vote to approve the additional tax levied by the commission."

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### **HOUSE BILL NO. 1281—**

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1281 by Representative Baldone

##### AMENDMENT NO. 1

Delete Committee Amendments 1 through 4 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 4, 2003

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### **HOUSE BILL NO. 1404—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To enact R.S. 33:2738.84, relative to local sales and use taxes; to authorize certain parishes and municipalities to levy and collect an additional sales and use tax; to provide for the use of the proceeds derived from such tax; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

##### **HOUSE BILL NO. 1817—**

BY REPRESENTATIVES ODINET, RICHMOND, AND SWILLING  
AN ACT

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1817 by Representative Odinet

##### AMENDMENT NO. 1

On page 1, line 5, after "tax;" insert "to provide for the duration of the dedication;"

##### AMENDMENT NO. 2

On page 3, between lines 4 and 5, insert the following: "(4) The provisions of this Subsection shall be null and void and shall have no effect on and after July 1, 2004."

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### **HOUSE BILL NO. 1996—**

BY REPRESENTATIVE HONEY  
AN ACT

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)—**  
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 2021 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "(40)," insert "408(C),"

AMENDMENT NO. 2

On page 1, line 10, after "(40)," insert "408(C),"

AMENDMENT NO. 3

On page 4, between lines 9 and 10, insert:

"§408. Examination of applicants required; classes of licenses

\* \* \*

C.(1) Motorcycles, motor driven cycles, and motorized bicycles shall not be given a separate class, as such, but their use shall be provided for by making an endorsement on one of the basic classes outlined in this Section. Such an endorsement shall be made only after the applicant has taken and successfully passed tests specifically designed for the operation of such vehicles. No operator's skill test shall be required if an applicant has successfully completed the Motorcycle Safety, Awareness, and Operator Training Program provided in R.S. 17:282.

(2) The provisions of this Subsection shall not apply to motorcycles, motor driven cycles, and motorized bicycles under five horsepower. Their operation shall not require a license or endorsement.

\* \* \*

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**Senator Lambert in the Chair**

**Rules Suspended**

Senator Barham asked for and obtained a suspension of the rules for the purpose of advancing to the order of House Bills on Third Reading and Final Passage and taking up House Bill Nos. 2 and 3 out of their regular order.

**House Bills and Joint Resolutions on Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE BILL NO. 2 —**

BY REPRESENTATIVES HAMMETT AND LEBLANC AND SENATORS BARHAM AND DARDENNE

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Barham sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Barham and Dardenne to Reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 14, between lines 41 and 42, insert the following:

"( )	Civilian Conservation Corps Worker	
	Statue, Planning, Acquisition, and	
	Construction	
	(Non-State Match Required)	
	(Rapides)	
	Payable from General Obligation Bonds	
	Priority 2	<u>\$10,000"</u>

AMENDMENT NO. 2

Delete Senate Committee Amendment No. 4 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 3

Delete Senate Committee Amendment No. 5 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 4

On page 16, delete line 39 and insert the following:

"Payable from General Obligation Bonds	
Priority 2	\$2,000,000
Priority 5	<u>\$3,000,000</u>
Total	<u>\$ 5,000,000"</u>

AMENDMENT NO. 5

Delete Senate Committee Amendment No. 9 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 6

On page 17, delete lines 35 through 37, and insert:

"Priority 1	\$100,000"
Priority 2	\$100,000
Priority 5	<u>\$1,575,000</u>
Total	<u>\$1,775,000</u>

AMENDMENT NO. 7

On page 45, between lines 27 and 28, insert:

“(1437) Johnston Hall Renovation, Third Floor,  
Governor’s Information Technology Initiative,  
Planning and Construction  
(East Baton Rouge)  
Payable from General Obligation Bonds  
Priority 2 \$ 700,000”

AMENDMENT NO. 8

Delete Senate Committee Amendment No. 51 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 9

On page 53, delete lines 25 and 26, and insert:

“Priority 5 \$4,945,000  
Total \$13,505,000”

AMENDMENT NO. 10

Delete Senate Committee Amendment No. 25 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003

AMENDMENT NO. 11

In Senate Committee Amendment No. 71 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003, on page 13, delete lines 3 through 5, and insert the following:

“Priority 2 \$810,000  
Priority 5 \$620,000  
Total \$ 1,430,000”

AMENDMENT NO. 12

On page 46, delete lines 22 through 24, and insert the following:

“Priority 2 \$385,000  
Priority 5 \$4,450,000  
Total \$ 4,835,000”

AMENDMENT NO. 13

On page 67, delete lines 5 through 8, and insert the following:

“Payable from State General Fund (Direct) \$7,300,000  
Payable from State General Fund (Direct)  
Nonrecurring Revenues \$4,200,000  
Payable from General Obligation Bonds  
Priority 2 \$1,100,000  
Priority 5 \$2,400,000  
Total \$15,000,000”

AMENDMENT NO. 14

Delete Senate Committee Amendment No. 87 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 15

Delete Senate Committee Amendments No. 31 and 32 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 16

On page 74, delete lines 40 through 48 in their entirety.

AMENDMENT NO. 17

Delete Senate Committee Amendment Nos. 33 and 34 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 18

Delete Senate Committee Amendment No. 107 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 19

On page 78, delete lines 31 through 36, and insert the following:

“Payable from State General Fund (Direct) \$98,150  
Payable from General Obligation Bonds  
Priority 1 \$20,000  
Total \$118,150”

AMENDMENT NO. 20

On page 83, line 3, after "\$700,000" insert "In-Kind"

AMENDMENT NO. 21

Delete Senate Committee Amendment No. 150 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 22

Delete Senate Committee Amendment No. 41 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 23

On page 89, after line 51, insert the following:

“(735) St. Tammany West Chamber of Commerce  
Building, Planning and Construction  
(\$300,000 In-Kind and/or Non-State Match)  
(St. Tammany)  
Payable from State General Fund (Direct) \$50,000  
Payable from General Obligation Bonds  
Priority 2 \$100,000  
Priority 3 \$400,000  
Total \$550,000”

AMENDMENT NO. 24

Delete Senate Committee Amendment No. 160 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 26

Delete Senate Committee Amendment No. 48 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 28

On page 93, between lines 41 and 42, insert the following:

“50/M09 ARCADIA

( ) Downtown City Park and Restroom  
Facilities, Acquisitions, Planning and  
Construction (In-Kind and/or Non-State  
Match Required)  
(Bienville)  
Payable from State General Fund (Direct) \$45,000  
Payable from General Obligation Bonds  
Priority 2 \$15,000  
Total \$60,000”

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112.”

AMENDMENT NO. 29

Delete Senate Committee Amendment No. 169 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 30

# Page 8 SENATE

June 20, 2003

## 46th DAY'S PROCEEDINGS

Delete Senate Committee Amendment No. 188 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

### AMENDMENT NO. 32

Delete Senate Committee Amendment No. 64 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

### AMENDMENT NO. 34

On page 99, between lines 32 and 33, insert the following:

“(826) Installation of New Water Distribution System,  
Planning and Construction  
(\$70,000 Local Match; \$32,000 Federal Match)  
(Jefferson)  
Payable from State General Fund (Direct) \$50,000  
Payable from General Obligation Bonds  
    Priority 2 \$100,000  
    Priority 3 \$600,000  
    Priority 5 \$100,000  
Total \$850,000”

### AMENDMENT NO. 35

Delete Senate Committee Amendment No. 191 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

### AMENDMENT NO. 37

Delete Senate Committee Amendment No. 70 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

### AMENDMENT NO. 39

On page 100, after line 46, insert the following:

“(836) Lafitte General Assembly/  
Emergency Shelter  
(\$350,000 Non-State Match)  
(Jefferson)  
Payable from State General Fund (Direct) \$75,000  
Payable from General Obligation Bonds  
    Priority 5 \$150,000  
Total \$225,000”

### AMENDMENT NO. 40

Delete Senate Committee Amendment No. 200 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

### AMENDMENT NO. 42

Delete Senate Committee Amendment No. 73 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

### AMENDMENT NO. 44

On page 101, between lines 30 and 31, insert the following:

#### **“50/MH6 MADISONVILLE**

(858) Wastewater Treatment Plant Improvements,  
Planning and Construction  
(\$230,606 In-Kind and/or Non-State Match)  
(St. Tammany)  
Payable from State General Fund (Direct) \$250,000  
Payable from General Obligation Bonds  
    Priority 2 \$615,000  
Total \$865,000”

### AMENDMENT NO. 45

Delete Senate Committee Amendment No. 201 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

### AMENDMENT NO. 47

Delete Senate Committee Amendment No. 74 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

### AMENDMENT NO. 49

On page 101, between lines 30 and 31, insert the following:

#### **“50/MH8 MANDEVILLE**

(860) Galvez Street Phase III, US 90  
Outfall, Drainage Improvements,  
Planning and Construction  
(\$554,880 Non-State Match)  
(St. Tammany)  
Payable from State General Fund (Direct) \$250,000  
Payable from General Obligation Bonds  
    Priority 2 \$500,000  
    Priority 5 \$500,000  
Total \$1,250,000”

### AMENDMENT NO. 50

Delete Senate Committee Amendment No. 233 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

### AMENDMENT NO. 52

Delete Senate Committee Amendment No. 79 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

### AMENDMENT NO. 54

On page 108, between lines 30 and 31, insert the following:

#### **“50/MQ6 SALINE**

( ) Water Tower Repairs,  
Planning and Construction  
(Non-State Match Required)  
(Bienville)  
Payable from State General Fund (Direct) \$10,000  
Payable from General Obligation Bonds  
    Priority 2 \$15,000  
Total \$25,000”

Pending submittal of capital outlay budget request and approval pursuant to the provisions of R. S. 39:112.”

### AMENDMENT NO. 55

Delete Senate Committee Amendment No. 269 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

### AMENDMENT NO. 57

Delete Senate Committee Amendments No. 93 and 94 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

### AMENDMENT NO. 59

On page 120, delete lines 6 through 12, insert the following:

“Payable from State General Fund (Direct) \$75,500  
Payable from General Obligation Bonds  
    Priority 1 \$850,000  
    Priority 2 \$125,000  
    Priority 3 \$25,000  
    Priority 5 \$400,000  
Total \$1,475,500”

### AMENDMENT NO. 60

Delete Senate Committee Amendment No. 278 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.



AMENDMENT NO. 62

Delete Senate Committee Amendments No. 98, 99, and 100 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 64

On page 124, delete lines 42 and 43, and insert the following:

“Payable from State General Fund (Direct)	\$100,000
Payable from General Obligation Bonds	
Priority 2	\$275,000
Priority 3	\$100,000
Priority 5	\$65,000
Total	<u>\$540,000”</u>

AMENDMENT NO. 65

On page 127, between lines 6 and 7, insert the following:

**“50/NN5 BEAUREGARD PARISH COVERED ARENA AUTHORITY**

(570) Beauregard Parish Covered Arena,  
Expansion, Planning and Construction  
(Supplemental Funding)  
(Beauregard)

Payable from State General Fund (Direct)	\$300,000
Payable from General Obligation Bonds	
Priority 2	\$265,000
Priority 5	\$425,000
Total	<u>\$990,000”</u>

AMENDMENT NO. 66

Delete Senate Committee Amendment No. 284 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 68

Delete Senate Committee Amendments No. 102 and 103, proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 70

On page 127, delete lines 11 and 12, and insert the following:

“Payable from State General Fund (Direct)	\$50,000
Payable from General Obligation Bonds	
Priority 1	\$500,000
Priority 5	\$600,000
Total	<u>\$ 1,150,000”</u>

AMENDMENT NO. 71

Delete Senate Committee Amendment No. 298 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 73

Delete Senate Committee Amendments No. 104 and 105 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 75

On page 128, delete lines 39 through 42, and insert the following:

“ Payable from State General Fund (Direct)	\$100,000
Payable from General Obligation Bonds	
Priority 2	\$100,000
Priority 3	\$200,000
Priority 4	\$402,000
Total	<u>\$802,000”</u>

AMENDMENT NO. 76

Delete Senate Committee Amendment No. 305 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003.

AMENDMENT NO. 78

On page 130, between lines 35 and 36, insert the following:

**“50/NX8 LUSHER COMMUNITY CENTER**

( ) Lusher Community Center, Renovation and Construction (Non-State and/or In-Kind Match Required) (Orleans)	
Payable from State General Fund (Direct)	\$25,000
Payable from General Obligation Bonds	
Priority 2	\$100,000
Priority 5	\$900,000
Total	<u>\$1,025,000”</u>

AMENDMENT NO. 80

Delete Senate Committee Amendment No. 107 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 82

On page 131, delete lines 6 through 10, and insert the following:

“Payable from State General Fund (Direct)	\$12,500
Payable from General Obligation Bonds	
Priority 2	\$25,000
Priority 5	\$10,000
Total	<u>\$47,500”</u>

AMENDMENT NO. 83

Delete Senate Committee Amendment No. 111 proposed by the Senate Committee on Finance and adopted by the Senate on June 18, 2003.

AMENDMENT NO. 84

On page 134, line 6, after “facilities.” insert the following: “The Commissioner of Administration may direct that any surplus cash or bond proceeds found in any capital outlay appropriation in this Act or any previous Capital Outlay Act, may be transferred for life safety or deferred maintenance to state facilities in this Act or any previous Capital Outlay Act.”

On motion of Senator Barham, the amendments were adopted.

**Floor Amendments Sent Up**

Senator C. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator C.D. Jones to Re-reengrossed House Bill No. 2 by Representative Hammett

AMENDMENT NO. 1

On page 77, between lines 5 and 6, insert the following: “Provided that cooperative endeavor agreement entered into for this project shall include East Carroll Parish and the town of Lake Providence.”

On motion of Senator C. Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator C. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

June 20, 2003

Amendments proposed by Senator C.D. Jones to Re-reengrossed House Bill No. 2 by Representative Hammett

## AMENDMENT NO. 1

In the Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003, in Amendment No. 97 on page 18, line 17, change "\$600,000" to "\$300,000" and on line 19, change "\$1,100,000" to "\$800,000"

## AMENDMENT NO. 2

In the Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003, in Amendment No. 303 on page 62, line 43, change "\$650,000" to "\$500,000" and on line 45, change "\$1,150,000" to "\$1,000,000"

## AMENDMENT NO. 3

On page 101, between lines 21 and 22, insert the following:

### **"50/MG1 LAKE PROVIDENCE**

(853) Lake Providence Industrial Park and Equipment, Infrastructure Improvements, Planning, Land Acquisition, Equipment, and Construction (Non-State Match Required) (East Carroll)  
Payable from General Obligation Bonds  
Priority 2 \$450,000"

On motion of Senator C. Jones, the amendments were adopted.

### **Floor Amendments Sent Up**

Senator Irons sent up floor amendments which were read.

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Irons to Re-reengrossed House Bill No. 2 by Representative Hammett

## AMENDMENT NO. 1

In the Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 16, 2003, in Amendment No. 217 on page 43, delete line 34, and insert the following:

"Priority 2	\$ 5,000,000
Priority 3	\$ 7,500,000
Priority 4	<u>\$70,000,000</u>
Total	<u>\$82,500,000"</u>

On motion of Senator Irons, the amendments were adopted.

### **Floor Amendments Sent Up**

Senator Marionneaux sent up floor amendments which were read.

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Marionneaux to Re-reengrossed House Bill No. 2 by Representative Hammett

## AMENDMENT NO. 1

On page 142, between lines 8 and 9, insert:

"Section 19. Notwithstanding any other provision of this Act or any other law, the aggregate amount of cash lines of credit and non-cash lines of credit granted by the State Bond Commission for any

project or amount authorized by this Act from the effective date of this Act to January 15, 2003 shall not exceed forty million dollars."

## AMENDMENT NO. 2

On page 142, line 8, change "Section 19." to "Section 20."

Senator Marionneaux moved adoption of the amendments.

Senator Barham objected.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Cravins	Johnson	McPherson
Fields	Jones, CD	
Hines	Marionneaux	
Total—7		

#### **NAYS**

Adley	Dupre	Michot
Bajoie	Ellington	Mount
Barham	Hollis	Romero
Bean	Hoyt	Smith
Boissiere	Irons	Tarver
Cain	Lambert	Theunissen
Dardenne	Lentini	Thomas
Dean	Malone	Ullo
Total—24		

#### **ABSENT**

Mr. President	Gautreaux	Jones, B
Chaisson	Heitmeier	Schedler
Fontenot	Holden	
Total—8		

The Chair declared the amendments were rejected.

### **Floor Amendments Sent Up**

Senator Johnson sent up floor amendments which were read.

### **SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Johnson to Re-reengrossed House Bill No. 2 by Representative Hammett

## AMENDMENT NO. 1

On page 16, line 5, change "(Orleans)" to "(Statewide)"

## AMENDMENT NO. 2

On page 16, between lines 7 and 8, insert the following:

"( )	Infrastructure Improvements, Phase 1, Road Design (Non-State Match Required) (Statewide) Payable from General Obligation Bonds	
	Priority 2	\$500,000
	Priority 3	<u>\$5,000,000</u>
		<u>\$5,500,000</u>

Provided however, this project shall not be funded unless the road is required for access to the National Finance Center."

On motion of Senator Johnson, the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Hines	McPherson
Barham	Holden	Michot
Bean	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Chaisson	Fontenot	Heitmeier
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 3—**

BY REPRESENTATIVE HAMMETT AND SENATOR BARHAM  
AN ACT

To enact the Omnibus Bond Authorization Act of 2003, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Marionneaux
Adley	Gautreaux	McPherson
Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Thomas
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—37		

**NAYS**

Total—0

**ABSENT**

Fontenot	Heitmeier
----------	-----------

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Reports of Committees, Resumed**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****EDUCATION**

Senator Theunissen, Chairman on behalf of the Committee on Education, submitted the following report:

June 20, 2003

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 235—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN  
A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 259—**

BY REPRESENTATIVE K. CARTER  
A CONCURRENT RESOLUTION

To request the State Board of Elementary and Secondary Education to study the issue of requiring teachers to complete a minimum number of hours of continuing teacher education each year in order to maintain certification.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 263—**

BY REPRESENTATIVE SCHWEGMANN AND SENATOR IRONS  
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to have the University of New Orleans develop a plan to establish and operate a university laboratory middle school, known as the New Millennium Laboratory School, and to report its plans and recommendations to the House Committee on Education and the Senate Committee on Education by not later than March 1, 2004.

Reported favorably.

Respectfully submitted,  
GERALD J. THEUNISSEN  
Chairman

**House Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 235—**  
BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN  
**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the resolution was read by title and referred to the Legislative Bureau.

## Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of advancing to the order of

## Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 4—**  
BY SENATOR MCPHERSON  
**AN ACT**

To amend and reenact R.S. 43:111.1, relative to public media advertising; to prohibit the expenditure of any state funds for media advertisement which mentions any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity for media advertisement which mentions any public official whether elected or appointed; to provide exceptions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 4 by Senator McPherson

### AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact "R.S. 43:111.1," and insert "enact R.S. 42:3.2,"

### AMENDMENT NO. 2

On page 1, delete lines 3 through 6 and at the beginning of line 7, delete "appointed;" and insert the following: "prohibit a public official from using public funds for certain public service announcements if he has qualified as a candidate for election; to provide for penalties for violation of this provision;"

### AMENDMENT NO. 3

On page 1, line 9, after "Section 1." delete the remainder of the line and insert "R.S. 42:3.2 is hereby enacted to read as"

### AMENDMENT NO. 4

On page 1, delete lines 11 through 15 and delete page 2 and insert the following:

"§3.2. Public service announcements; prohibition

A. No public official who qualifies as a candidate for election shall use public funds to create a public service announcement for commercial print, radio, or television, using his name, likeness, or voice during the period between the closing of qualifying for such election and the promulgation of the election returns.

B.(1) Any public official who violates Subsection A of this Section shall be held personally liable for the costs of production of any public service announcement created in violation of this Section. Any funds of, administered by, or under the control of any branch, department, agency, official, employee, or other entity of state government expended on any public service announcement in violation of this Section may be recovered by the state in a civil action instituted by the attorney general.

(2) Any person who violates the provisions of this Section shall be assessed a fine by the court of not more than five hundred dollars.

C. The provisions of Subsections A and B of this Section shall not apply to any public service announcement made by a public official when a bona fide emergency involving imminent peril to the public health, safety, or welfare requires an emergency public service announcement.

Section 2. This Act shall become effective on January 1, 2004."

Senator McPherson moved to reject the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Hines	McPherson
Barham	Holden	Michot
Bean	Hollis	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Ellington	Fontenot	Heitmeier
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator McPherson moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 30—**  
BY SENATOR CAIN

### AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to the compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 30 by Senator Cain

#### AMENDMENT NO. 1

On page 1, line 2, after "424(E)" delete "and 425(E), relative to the" and delete line 3 and insert a comma "," and the following: "425(E), 541, 542, 1303(A), 1306(G)(1)(a) and (f), 1308(A)(1)(a), 1309(A)(2), 1331, and 1332(A) and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(d) and (g), and (H), to provide relative to voting; to provide relative to when a qualified voter may cast a ballot in person; to provide for the hours of opening and closing of the polls; to provide for the termination of voting; to remove other requirements for voting absentee in person; to provide with regard to conducting absentee voting; to repeal special provisions for disabled voters to vote absentee in person; to provide for additional"

#### AMENDMENT NO. 2

On page 1, line 4, after "commissioners;" and before "and to provide" insert the following: "to direct the Louisiana State Law Institute to work with appropriate legislative staff and state elections officials to identify the terms "absentee in person" and "absentee" in relation to absentee in person voting for the purpose of redesignating "absentee in person" voting as "early voting" and submit a report of such occurrences to the legislature;"

#### AMENDMENT NO. 3

On page 1, line 6, after "424(E)" delete "and 425(E)" and insert a comma "," and "425(E), 541, 542, 1303(A), 1306(G)(1)(a) and (f), 1308(A)(1)(a), 1309(A)(2), 1331, and 1332(A)"

#### AMENDMENT NO. 4

On page 2, between lines 8 and 9 insert the following:

"§541. Opening and closing of the polls

In the primary and general elections, the polls shall open at 6:00 7:00 a.m. on election day and shall close at 8:00 7:00 p.m. on election day.

§542. Termination of voting

A person qualified to vote who is in line to vote when the polls close on election day shall be allowed to vote. Voting in a primary or general election shall terminate (1) when the polls close, if no one is in line to vote at that time, or (2) when all the persons who were in line to vote at 8:00 7:00 p.m. have been allowed to vote.

§1303. Persons entitled to vote in compliance with this Chapter

A. In person. ~~The persons hereafter enumerated, who are otherwise qualified to vote, Any person who is qualified to vote may~~ vote absentee in person at a place designated by the registrar as provided in R.S. 18:1309(A) and (B):

(1) A person who expects to be absent from the parish in which he is qualified to vote on election day:

(2) A person who expects to be hospitalized on election day or a person who expects to be hospitalized and released prior to election day but who expects to be restricted to his bed by his physician on election day:

(3) A member of the United States Service, as defined in R.S. 18:1302, and his spouse and dependents, who expect to be out of the parish on election day:

(4) A student, instructor, or professor in an institution of higher learning located outside the parish in which he is qualified to vote and who lives outside of said parish by reason thereof, and his spouse and dependents accompanying and residing with him, who expect to be out of the parish on election day:

(5) A minister, priest, rabbi, or other member of the clergy assigned to a religious post outside of the United States and his spouse and any dependents accompanying and residing with him, who expect to be out of the parish on election day:

(6) A person residing outside the United States who expects to be out of the parish on election day:

(7) A person who, after the registration books have closed as required by R.S. 18:135, has moved his residence to another parish, and the new residence is more than one hundred miles from the parish seat of the parish of his former residence, in which case he may vote by absentee ballot in the parish of his former residence.

(9) A person involuntarily confined to an institution for mental treatment who is not interdicted and judicially declared mentally incompetent:

(10) A person who, by virtue of his employment or occupation, expects to be out of his parish of registration on election day or who by virtue of his employment or occupation expects to be out of his precinct of registration and upon the waters of the state on election day:

(11) A disabled voter, as provided in R.S. 18:1304:

(12) A person who declares to the registrar that tenets of his religion require his attendance at religious services on election day, prevent him from affixing his handwritten signature on any ballot or registration rolls on an election day, or otherwise prevent him from casting his ballot on election day:

(13) A clerk of court, registrar of voters, or a person who is employed by the secretary of state, the commissioner of elections, a clerk of court, or registrar of voters and who, by virtue of his employment, expects to be unable to go to his polling place on election day to cast his ballot:

(14) A person serving as commissioner-in-charge, commissioner, or alternate commissioner for an election in a precinct other than the precinct in which he is registered to vote:

(15) A person who is sixty-five years of age or older:

(16) Any person who has registered by mail who has not previously voted in any election:

\* \* \*

§1306. Preparation and distribution of absentee ballots

\* \* \*

G.(1) An in-person absentee application shall bear a certificate prescribed by the secretary of state and approved by the attorney general. The certificate shall include but not necessarily be limited to:

(a) The full name and place of residence of the voter in Louisiana, including state, parish, ward, precinct, city, and street.

\* \* \*

(f) Spaces for the state and parish where it is executed.

\* \* \*

§1308. Absentee voting by mail

A.(1)(a) Beginning with the date on which the registrar receives the absentee ballots and other necessary paraphernalia from the secretary of state, and thereafter, immediately upon receipt of an application by mail, the registrar shall mail the necessary instructions, certificates, ballots, and envelopes to the applicant at the address furnished by the applicant, or hand deliver the necessary instructions, certificates, ballots, and envelopes directly to the applicant, his spouse, or his designee. The registrar shall detach the perforated slip from the absentee ballot before mailing it to the voter and shall retain the slip in the records of his office for six months.

\* \* \*

§1309. Absentee application and voting in person

A.

\* \* \*

(2) During the period of absentee voting in person, the registrar shall maintain regular office hours, remaining open from 8:30 a.m. to 4:30 p.m. Monday through Friday, and from 8:30 a.m. to 12:00 noon on Saturday; however, if a Saturday or any holiday provided by law or proclaimed by the governor for state departments falls during the period for absentee voting, the office of the registrar shall remain open until 4:30 p.m. on such Saturday and on the last day of the period for absentee voting and the registrar shall post a notice to that effect at the entrance to the office of the registrar 8:00 a.m. to 8:00 p.m. Monday through Saturday. Absentee voting in person on the last day of voting will terminate when all persons who were in line to vote at the close of the regular office hours of the registrar's office, as provided herein, have been allowed to vote. If the office space of the registrar is insufficient or inconvenient to accommodate absentee

voting, the registrar may provide for an alternate location to conduct absentee voting, which location shall be in the courthouse or in a public building in the immediate vicinity thereof, and in such case, adequate notice shall be posted at the registrar's office informing the public of the location where absentee voting is being conducted.

\* \* \*

§1331. Persons entitled to vote in compliance with this Chapter

A qualified voter who is physically disabled to the extent that he is unable to vote in person at the polls on election day, either at the polling place in the precinct in which he is registered to vote or at another polling place as provided in R.S. 18:531(B), and is unable to vote absentee in person at the registrar's office ~~as permitted by R.S. 18:1304~~, may vote by absentee ballot in accordance with the provisions of this Part.

§1332. Disabled voters; physical disability rendering voter incapable of voting in person, voting absentee by mail; requirements

A. Except as provided in R.S. 18:1333, a person otherwise qualified to vote who is physically disabled to an extent which prevents him from voting at the polls on election day or from voting absentee in person ~~as authorized by R.S. 18:1304~~ may vote absentee by mail in accordance with the applicable provisions of Chapter 7 of this Election Code, upon approval for participation in the special program as provided by this Chapter.

\* \* \*

Section 2. R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(d) and (g), and (H) are hereby repealed in their entirety.

Section 3. The Louisiana State Law Institute shall work with appropriate legislative staff and state elections officials to identify the terms "absentee in person" and "absentee voting" in relation to voting absentee in person in the Louisiana Election Code, and shall submit a report to the legislature specifying all such occurrences no later than March 1, 2004, for the purposes of redesignating "absentee in person" voting as "early" voting."

### AMENDMENT NO. 5

On page 2, line 9, change "Section 2." to "Section 4."

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Engrossed Senate Bill No. 30 by Senator Cain

### AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 4, after "425(E)," and before "1303(A)," delete "541, 542,"

### AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 5, after "1308(A)(1)(a)," and before "1331," delete "1309(A)(2),"

### AMENDMENT NO. 3

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 8, after "in person;" delete the remainder of the line and delete line 9 and at the beginning of line 10, delete "of voting;"

### AMENDMENT NO. 4

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 25, after "425(E)," and before "1303(A)," delete "541, 542,"

### AMENDMENT NO. 5

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the

House of Representatives on June 17, 2003, on page 1, at the beginning of line 26 delete "1309(A)(2),"

### AMENDMENT NO. 6

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, delete lines 29 through 36 and on page 2 delete lines 1 through 4

### AMENDMENT NO. 7

In House Committee Amendment No. 4 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 3, delete lines 30 through 52

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Green to Engrossed Senate Bill No. 30 by Senator Cain

### AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 4, after "425(E)," and before "1303(A)," delete "541, 542,"

### AMENDMENT NO. 2

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 5, after "1332(A)" insert a comma "," and insert "to enact R.S. 18:425.2,"

### AMENDMENT NO. 3

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 8, after "in person;" delete the remainder of the line and delete line 9 and on line 10, delete "of voting;" and insert "to provide for the parish board of election supervisors to schedule two commissioners or commissioners-in-charge to each serve for half of an election day and to split the compensation received;"

### AMENDMENT NO. 4

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, line 25, after "425(E)," and before "1303(A)," delete "541, 542,"

### AMENDMENT NO. 5

On page 1, line 7, after "reenacted" and before "to read" insert "and R.S. 18:425.2 is hereby enacted"

### AMENDMENT NO. 6

In House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on page 1, delete lines 29 through 36 and delete lines 1 through 4 on page 2 and insert the following:

"§425.2. Commissioners and commissioners-in-charge: split hours  
Notwithstanding any other provision of law to the contrary, if a  
parish board of election supervisors determines that the parish has a  
shortage of commissioners or commissioners-in-charge to serve at the  
polls on election day, the parish board of election supervisors may  
provide for a commissioner or commissioner-in-charge to split the  
hours served on election day in half with another commissioner or  
commissioner-in-charge, as the case may be. In each such case, the  
compensation of the commissioner or commissioner-in-charge shall  
be half of what the commissioner or commissioner-in-charge would  
receive for a full day of service, as provided for in R.S. 18:424(E) or  
R.S. 18:425(E). Any commissioner or commissioner-in-charge who  
desires to split the hours that he works on election day shall notify the

appropriate clerk of court at least sixty days prior to the election. The State Board of Election Supervisors shall prescribe uniform rules with respect to the selection, scheduling, and procedures relative to a parish board of election supervisors splitting the hours that a commissioner or commissioner-in-charge will work on election day.

\* \* \*

### Motion

Senator Cain moved that the Senate concur in the amendments returned from the House.

Senator Dardenne moved as a substitute motion that the Senate reject the amendments returned from the House be rejected.

Senator Cain objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Holden	Mount
Barham	Hollis	Romero
Bean	Hoyt	Schedler
Boissiere	Jones, B	Smith
Dardenne	Jones, CD	Theunissen
Dean	Lambert	Ullo
Ellington	Malone	
Gautreaux	Michot	
Total—22		

#### NAYS

Cain	Fields	Lentini
Chaisson	Heitmeier	Marionneaux
Cravins	Hines	McPherson
Dupre	Johnson	Thomas
Total—12		

#### ABSENT

Adley	Fontenot	Tarver
Bajoie	Irons	
Total—5		

The Chair declared the amendments were rejected.

### SENATE BILL NO. 128—

BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:433(C) and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal awards; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 128 by Senator Theunissen and Representative Crane

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:433(C) and before "and to" insert "and R.S. 42:1123(2)(b),"

#### AMENDMENT NO. 2

On page 2, line 1, delete "any private source" and insert "private sources"

#### AMENDMENT NO. 3

On page 2, line 22, delete "by any private source" and insert "from private sources"

#### AMENDMENT NO. 4

On page 2, between lines 25 and 26, insert the following:

"Section 2. R.S. 42:1123(2)(b) is hereby amended and reenacted to read as follows:

§1123. Exceptions

This Part shall not preclude:

\* \* \*

(2)

\* \* \*

"(b) Awards of anything of economic value received by teachers, principals, or school employees pursuant to the provisions of R.S. 17:432, 432.1, ~~or 433~~, or 433.1 for their outstanding achievement in the performance of their duties or responsibilities as teachers, principals, or school employees given by any person. However, this exception shall not apply to any award from any person or from any officer, director, agent, or employee of such person, if the teacher, principal, or school employee receiving the award knows or reasonably should know that the person has substantial economic interests which may be substantially affected by the performance or nonperformance of the teacher's, principal's, or school employee's official duty.

\* \* \*

#### AMENDMENT NO. 5

On page 2, line 26, change "Section 2." to "Section 3."

Senator Theunissen moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Adley	Fontenot	Tarver
Bajoie	Irons	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 177— BY SENATOR HEITMEIER

### A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to public funds; to authorize public funds to be loaned or pledged by a state infrastructure bank to fund eligible infrastructure projects; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 177 by Senator Heitmeier

#### AMENDMENT NO. 1

On page 1, line 10, following "to" and before "Article" insert "amend"

Senator Heitmeier moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Malone	
Gautreaux	Marionneaux	
Total—31		

#### NAYS

Total—0

#### ABSENT

Adley	Dardenne	Lentini
Bajoie	Fontenot	Tarver
Bean	Irons	
Total—8		

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## SENATE BILL NO. 257— BY SENATOR DARDENNE

### AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), and to enact R.S. 40:1299.41(A)(21), relative to the Medical Malpractice Act; to include extracorporeal therapist in the definition of a "health care provider"; to provide for the definition of "extracorporeal therapist"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 257 by Senator Dardenne

#### AMENDMENT NO. 1

On page 1, line 4, change "extracorporeal therapist" to "perfusionist" and at the end of the line, after the semicolon ";," delete "to"

#### AMENDMENT NO. 2

On page 1, line 5, delete "provide for the definition of "extracorporeal therapist";"

#### AMENDMENT NO. 3

On page 2, line 7, delete "any extracorporeal therapist, whether or not"

#### AMENDMENT NO. 4

On page 2, line 8, delete "such therapist is required to be licensed by this state," and insert "licensed perfusionist,"

#### AMENDMENT NO. 5

On page 2, deletes lines 21 through 26 in their entirety

#### AMENDMENT NO. 6

On page 3, delete lines 1 through 6 in their entirety

### LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 257 by Senator Dardenne

#### AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Civil Law and Procedure, on line 2, delete "On" and insert "On page 1, line 2, delete ", and to enact R.S." and on page 1, line 3, delete "40:1299.41(A)(21)" and on"

#### AMENDMENT NO. 2

In House Committee Amendment No. 2 proposed by the House Committee on Civil Law and Procedure, on line 6, at the end of the line insert "and on page 1, line 8 after "reenacted" delete "and", and on page 1, line 9 delete "R.S. 40:1299.41(A)(21) is hereby enacted"

Senator Dardenne moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34		

#### NAYS

Total—0

#### ABSENT

Adley	Fontenot	Tarver
-------	----------	--------



Bajoie  
Total—5

Irons

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 262—**  
BY SENATOR MOUNT

AN ACT

To enact R.S. 33:4712.8, relative to economic development for the city of Westlake; to authorize the city of Westlake to transfer certain property no longer needed for public purposes; to provide for the creation of a board to govern the sale of such property; to provide for the purpose, powers, duties and membership of the board; to provide for the authority of the board; to provide for the duties of the governing authority of the city of Westlake with respect to the board; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 262 by Senator Mount

AMENDMENT NO. 1

On page 8, line 8, delete "(1)"

AMENDMENT NO. 2

On page 8, line 12, change "(2)" to "(1)"

AMENDMENT NO. 3

On page 8, line 13, change "(3)" to "(2)"

AMENDMENT NO. 4

On page 8, line 15, change "(4)" to "(3)"

AMENDMENT NO. 5

On page 8, line 17, change "(5)" to "(4)"

AMENDMENT NO. 6

On page 8, line 22, change "(6)" to "(5)"

AMENDMENT NO. 7

On page 9, line 1, change "(7)" to "(6)"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 262 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To enact" delete the remainder of line 2, and at the beginning of line 3, delete "Westlake;" and insert in lieu thereof "R.S. 33:2740.55 and 4712.8, relative to economic development;"

AMENDMENT NO. 2

On page 1, line 8, after "to the board;" and before "and to" insert "to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans;"

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." and before "hereby enacted" delete "R.S. 33:4712.8 is" and insert in lieu thereof "R.S. 33:2740.55 and 4712.8 are"

AMENDMENT NO. 4

On page 1, between lines 12 and 13, insert the following:

"§2740.55. Southwest Ouachita Economic Development District

A. Creation. The Southwest Ouachita Economic Development District, referred to in this Section as the "district", is hereby created in the parish of Ouachita. The district shall be a political subdivision of the state created for the purpose of developing the area included within the district in order to provide for substantial economic activity and employment opportunities.

B. Boundaries. The district shall be comprised of all the territory outside the municipal limits of the city of West Monroe and included within the following boundaries: the northern boundary shall be Interstate 20, the eastern boundary shall be the Ouachita River, the western boundary shall be the Ouachita Parish line, the southern boundary shall be the Ouachita Parish line.

C. Governance. (1) In order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, improvements, and facilities to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, the district shall be managed by a five-member board of commissioners, referred to in this Section as the "board". The members of the board shall be appointed by the governor from a list nominations submitted as follows:

(a) Two members shall be nominated by the state representative for House District No. 15.

(b) One member shall be nominated by the state representative for House District No. 13.

(c) One member shall be nominated by the state senator for Senate District No. 32.

(d) One member shall be nominated by the state senator for Senate District No. 35.

(2)(a) Members of the board shall serve three-year terms after initial terms as provided by Subparagraph (b) of this Paragraph.

(b) Three members shall serve an initial term of two years and two members shall serve an initial term of three years, as determined by lot at the first meeting of the board.

(c) Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(3) The board shall elect from its members a chairman, a vice chairman, a secretary-treasurer, and such other officers as it may deem necessary. The duties of the officers shall be fixed by the bylaws adopted by the board.

(4) The minute books and archives of the district shall be maintained by the secretary of the board. The monies, funds, and accounts of the district shall be in the official custody of the board.

(5) The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business affairs. It shall hold regular meetings as shall be provided in the bylaws and may hold special meetings at such times and places within the district as may be prescribed in the bylaws.

(6) A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all meetings and shall make them available through the secretary of the board.

(7) The members of the board shall serve without compensation.

D. District plan. (1) The board shall prepare or cause to be prepared a plan or plans, referred to in this Section as the "plan", specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district and shall conduct public hearings, publish notice with respect thereto, and disseminate information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

(2) Any plan may specify and encompass any public services, capital improvements, and facilities which the parish of Ouachita is authorized to undertake, furnish, or provide under the constitution and laws of the state of Louisiana, and such specified public services,

improvements, and facilities shall be special and in addition to all services, improvements, and facilities which the parish of Ouachita is then furnishing or providing or may then or in the future be obligated to furnish or provide within the district.

(3) Any plan shall include:

(a) An estimate of the annual and total cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein.

(b) An estimate of the total number of mills required to be levied each year on the taxable real property within the district in order to provide the funds required for the implementation of the plan.

(c) The proportion of the tax to be levied on the taxable real property within the district which is to be set aside and dedicated to paying the cost of furnishing specified services and the proportion of such tax to be set aside and dedicated to paying the cost of capital improvements or paying the cost of debt service on any bonds to be issued to pay the cost of capital improvements, such proportions, in each case, to be expressed in numbers of mills.

(4) Any monies received by the district must be used exclusively for the development of the district plan.

(5) The board shall submit the plan to the governing authority of the parish of Ouachita. The governing authority of the parish shall review and consider the plan, but the board need not receive approval of the parish governing authority prior to implementing such plan.

E. Services and improvements. (1) All services to be furnished within the district pursuant to any plan finally and conclusively adopted may be furnished, supplied, and administered by the parish of Ouachita through its regularly constituted departments, agencies, boards, commissions, and instrumentalities. All capital improvements and facilities to be acquired, constructed, or provided within the district may likewise be so acquired, constructed, or provided by the parish of Ouachita through its regularly constituted departments, agencies, boards, commissions, and instrumentalities, it being the intention of this Paragraph to avoid the duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district.

(2) In order to provide services and/or provide, construct, or acquire capital improvements or facilities, the board may enter into intergovernmental local service contracts with the parish of Ouachita.

\* \* \*

### AMENDMENT NO. 5

On page 11, below line 9, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Mount moved to reject the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Malone
Barham	Heitmeier	Marionneau
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Johnson	Schedler
Dean	Jones, B	Smith
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Thomas

Fields	Lentini	Ullo
Total—33	NAYS	
Total—0	ABSENT	
Adley	Dardenne	Irons
Bajoie	Fontenot	Tarver
Total—6		

The Chair declared the amendments proposed by the House were rejected. Senator Mount moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

### **SENATE BILL NO. 307—**

BY SENATOR SCHEDLER

#### AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and 1235.2(A), relative to qualifications to operate ambulances and ambulance providers and licensure; to provide an exception regarding heliports; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 307 by Senator Schedler

### AMENDMENT NO. 1

On page 2, after line, 18 insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Schedler moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Gautreaux	Marionneau
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—34	NAYS	
Total—0	ABSENT	
Adley	Fontenot	Tarver
Bajoie	Irons	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 326—**  
BY SENATOR BAJOIE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 326 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 21, after "government" and before the period "." insert "for such purpose"

Senator Bajoie moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Hines	Irons	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 358—**  
BY SENATOR MCPHERSON

AN ACT

To enact R.S. 40:2116(G), relative to intermediate care facilities for the mentally retarded; to provide with respect to the facility need review provisions for facilities of a particular number of beds; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 358 by Senator McPherson

AMENDMENT NO. 1

On page 1, delete lines 12 and 13, and insert in lieu thereof "which serves children or adults suffering from mental retardation, autism, or behavioral problems, with no less than one"

AMENDMENT NO. 2

On page 1, line 14, change "seventy-five" to "eighty"

Senator McPherson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—33		

**NAYS**

Dean  
Total—1

**ABSENT**

Barham	Irons	Tarver
Heitmeier	Schedler	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 421—**  
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 421 by Senator McPherson

AMENDMENT NO. 1

# Page 20 SENATE

June 20, 2003

## 46th DAY'S PROCEEDINGS

On page 2, line 4 change "sale, rent," to "sale; or rent," delete the remainder of the line, and delete line 5.

### AMENDMENT NO. 2

On page 2, line 6 delete "construction," and insert "and"

### AMENDMENT NO. 3

On page 2, line 7 delete "specific designees" and insert "non-public invitees"

### AMENDMENT NO. 4

On page 2, line 8 after "access" insert a period "." and delete the remainder of the line and delete line 9 in its entirety.

Senator McPherson moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	

Total—35

### NAYS

Total—0

### ABSENT

Irons	Schedler
Jones, B	Tarver

Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### **SENATE BILL NO. 437—**

BY SENATORS CAIN AND CRAVINS  
AN ACT

To amend and reenact R.S. 4:144(A); to provide for the membership of the State Racing Commission; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 437 by Senator Cain

### AMENDMENT NO. 1

On page 2, line 1, after "district" delete the remainder of the line and delete line 2 and insert the following: "one person at large who is a member of a minority as is defined in R.S. 39:1952(14), and one person at large who is female."

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pinac to Reengrossed Senate Bill No. 437 by Senators Cain and Cravins

### AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Commerce and adopted by the House on June 12, 2003.

### AMENDMENT NO. 2

On page 2, line 1, after "and" delete the remainder of the line, delete line 2, and insert "two persons at large"

### AMENDMENT NO. 3

On page 2, line 3, after "governor." and before "Each" insert the following: "One member of the commission shall be a member of a minority as defined by R.S. 39:1952(14) and one member of the commission shall be a female."

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Hudson and Pierre to Reengrossed Senate Bill No. 437 by Senator Cain

### AMENDMENT NO. 1

On page 2, line 3, after "governor." and before "Each" insert the following: "Notwithstanding anything herein to the contrary, it shall be strictly prohibited for any family member of a legislator to be appointed to the commission."

Senator Cain moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	

Total—35

### NAYS

Total—0

### ABSENT

Hines	Marionneaux
Irons	Tarver

Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 476—**  
BY SENATOR BAJOIE

## AN ACT

To enact R.S. 14:67.22, relative to theft; to create the crime of theft of a used building component; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Peychaud to Reengrossed Senate Bill No. 476 by Senator Bajoie

AMENDMENT NO. 1

On page 1, at the end of line 15, delete "manufactured"

AMENDMENT NO. 2

On page 2, line 1, delete "object or"

AMENDMENT NO. 3

On page 2, line 1, after "workmanship" insert "or tools"

AMENDMENT NO. 4

On page 2, line 2, delete "or part of the" and insert "of"

AMENDMENT NO. 5

On page 2, line 4, insert a comma "," after "interest" and delete "of any immovable property,"

AMENDMENT NO. 6

On page 2, line 6, insert a comma "," after "structure" and delete "located on any immovable property,"

AMENDMENT NO. 7

On page 2, delete line 8 in its entirety and insert "fixture, including but not"

AMENDMENT NO. 8

On page 2, line 9, change "down spouts" to "downspouts"

AMENDMENT NO. 9

On page 2, line 18, after "plantings" delete the comma "," and delete the remainder of the line and on line 19, delete "marble of any size,"

AMENDMENT NO. 10

On page 2, line 19, delete "other" and at the end of the line delete "any"

AMENDMENT NO. 11

On page 2, line 22, delete the comma "," after "component" and delete the remainder of the line and delete lines 23 through 25 and insert the following: "when the misappropriation or taking amounts to a value or replacement value, whichever is greater, of less than three hundred dollars, the offender shall be imprisoned for not more than one year, or may be fined not more than one thousand dollars, or both. If the offender in such cases has been convicted of theft of a used building component two or more times previously, upon any subsequent conviction he shall be imprisoned, with or without hard labor, for not more than five years, or may be fined not more than three thousand dollars, or both."

AMENDMENT NO. 12

On page 2, line 26, change "theft" to "misappropriation"

AMENDMENT NO. 13

On page 3, line 2, after "than" insert "a value of"

AMENDMENT NO. 14

On page 3, line 3, change "two" to "five"

AMENDMENT NO. 15

On page 3, line 4, change "two" to "three"

AMENDMENT NO. 16

On page 3, delete lines 5 through 18 in their entirety and insert the following:

"(3) When the misappropriation or taking amounts to a value or replacement value, whichever is greater, of five hundred dollars or more, the offender shall be imprisoned, with or without hard labor, for not more than twelve years, or may be fined not more than five thousand dollars, or both."

Senator Bajoie moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

## NAYS

Dean  
Total—1

## ABSENT

Irons	Jones, B	Tarver
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Bajoie moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 578—**

BY SENATOR FONTENOT AND REPRESENTATIVE ERDEY

## AN ACT

To enact R.S. 39:33.2, relative to the minimum foundation program; to provide relative to returning the formula to the State Board of Elementary and Secondary Education; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 578 by Senator Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 17:22(2)(d) and to"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." insert "R.S. 17:22(2)(d) is hereby amended and reenacted and"

### AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"§22. Superintendent; functions and duties

The superintendent shall:

\* \* \*

(2) Provide the staff services for the board. In that regard the superintendent shall:

\* \* \*

(d) Prepare a minimum foundation program, a formula for the equitable allocation of minimum foundation funds to parish and city school systems, and budgets for adoption by the board. Upon adoption by the board of such program, formula, and budget for the ensuing fiscal year, the superintendent shall submit the budget in accordance with R.S. 39:45.1 and shall submit the minimum foundation program and formula to each member of the Joint Legislative Committee on the Budget and to each member of the House and Senate Committees on Education for review not later than the fifteenth day of March in each year on the forms and in the manner prescribed, and accompanied by such other data as the committees may require.

\* \* \*

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Erdey to Engrossed Senate Bill No. 578 by Senator Fontenot

### AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 2003, on line 20, after "R.S." and before "and shall" delete "39:45.1" and insert "39:33"

Senator Fontenot moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Irons	Tarver
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 761—

BY SENATOR CAIN

#### AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 761 by Senator Cain

### AMENDMENT NO. 1

On page 2, line 19, after "prepared by the" and before "relative" change "American Psychiatric Association" to "the United States Department of Justice"

Senator Cain moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Irons	Tarver
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 792—

BY SENATOR BARHAM

#### AN ACT

To amend and reenact R.S. 30:2030(B) and enact R.S. 30:2030(A)(1)(c) and (d), relative to the Department of Environmental Quality; to authorize the classification of security sensitive information and personal identification information as confidential; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No.792 by Senator Barham

##### AMENDMENT NO. 1

On page 1, at the beginning of line 3, after "(d)" delete the comma "," and insert "and (D)."

##### AMENDMENT NO. 2

On page 1, line 5, after "confidential;" and before "and to" insert "to authorize the department to restrict access to certain sensitive and personal identification information; to provide for certain penalties;"

##### AMENDMENT NO. 3

On page 1, line 9, after "(d)" and insert "and (D)"

##### AMENDMENT NO. 4

On page 1, line 10, after "information" insert a semicolon ";" and insert "restricted access"

##### AMENDMENT NO. 5

On page 2, line 14, change "adopt" to "specify"

##### AMENDMENT NO. 6

On page 2, between lines 14 and 15, insert the following:

\* \* \*

##### AMENDMENT NO. 7

On page 2, line 25, after "department" delete the period "." and insert "provided that such agency shall be required to maintain the confidentiality of the information classified as confidential."

##### AMENDMENT NO. 8

On page 2, after line 26, insert the following:

"D. (1) The department may restrict access to certain sensitive and personal identification information for the purpose of preventing the distribution or dissemination of such information via the Internet by the department or its employees. Any information to which access is restricted shall not be distributed or disseminated via the Internet by the department or its employees; however any person of the age of majority may appear in person at the main office of the department and review, examine, and copy such record in accordance with R.S. 44:1 et seq. The department shall adopt such rules and regulations, in accordance with the Administrative Procedure Act, as necessary to fully describe the information to which access is restricted and to effectively implement this Subsection.

(2) Any employee of the department or any former employee of the department or any authorized contractor acting as a representative of the secretary or the department who is convicted of the intentional distribution or dissemination of any information via the Internet to which access has been restricted pursuant to the provisions of this Subsection is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one thousand dollars, imprisonment for up to one year, or both.

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by Representative Bruneau to Reengrossed Senate Bill No. 792 by Senator Barham

##### AMENDMENT NO. 1

Delete House Committee Amendment Nos. 1, 2, 3, 4, 7, and 8 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 18, 2003

##### AMENDMENT NO. 2

On page 2, line 10, after "area" delete the remainder of the line and insert a period "." and the following: "Security sensitive information shall only include the following:

(i) Plans to prevent or respond to terrorist activity.

(ii) Engineering and architectural drawings and operational, procedural, or tactical planning and training manuals and other records the disclosure of which would reveal surveillance techniques, personnel deployments, alarm or security systems or technologies, operations and transportation plans or protocols, locations of particular materials or critical facility areas, or discharge or emission points.

(iii) Security documents.

(iv) Loading and unloading locations and schedules.

(v) Shift rotation schedules.

(vi) Inspection schedules.

(vii) Personnel training records and certifications."

Senator Bajoie moved to reject the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

##### NAYS

Total—0

##### ABSENT

Bajoie	Irons	Tarver
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Barham moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

#### SENATE BILL NO. 801—

BY SENATOR MARIONNEAUX

##### AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 801 by Senator Marionneaux

##### AMENDMENT NO. 1

On page 1, line 4, after "employment;" and before "and" insert "to provide for definitions;"

### AMENDMENT NO. 2

On page 1, at the end of line 11, delete "the"

### AMENDMENT NO. 3

On page 1, delete line 12 in its entirety and insert "conviction records of an applicant seeking"

### AMENDMENT NO. 4

On page 1, line 13, after employment insert a comma "," and before "from" insert "directly"

### AMENDMENT NO. 5

On page 1, line 15, after "sought" insert a comma ","

### AMENDMENT NO. 6

On page 2, line 1, after "such" delete the remainder of the line and insert "conviction records."

### AMENDMENT NO. 7

On page 2, line 2, delete "signed"

### AMENDMENT NO. 8

On page 2, at the end of line 2, insert "prepared by the bureau and"

### AMENDMENT NO. 9

On page 2, line 3, after "provide" delete the remainder of the line and delete line 4 in its entirety and insert "any conviction records of the applicant to the"

### AMENDMENT NO. 10

On page 2, line 5, after "manner." and before "The" insert "For the purposes of this Subsection "conviction records" shall include only those records which are electronically maintained by the bureau, and are records of a finding of guilty, a plea of guilty or nolo contendere, including those which have been set aside or dismissed pursuant to Code of Criminal Procedure Articles 893 or 894, or for which an individual has received an automatic first offender pardon. It shall not include those records which have been ordered expunged pursuant to R.S. 44:9."

### AMENDMENT NO. 11

On page 2, line 7, after "Subsection." insert "The bureau shall not be liable civilly or criminally for the release of information released pursuant to the provisions of this Subsection."

Senator Marionneaux moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullio
Total—36		

### NAYS

Fontenot  
Total—1

ABSENT

Irons  
Total—2

Tarver

The Chair declared the amendments proposed by the House were concurred in. Senator Marionneaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 867—

BY SENATOR SCHEDLER

### AN ACT

To amend and reenact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.13, and R.S. 46:6, to enact Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2761, and to repeal R.S. 46:6(B) and (C), relative to the Louisiana State University Health Sciences Center-Health Care Services Division; to provide for definitions; to provide for structure, duties, powers, and responsibilities of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to govern the division; and to provide for related matters.

On motion of Senator Schedler, the bill was read by title and returned to the Calendar, subject to call.

### SENATE BILL NO. 882—

BY SENATOR MALONE

### AN ACT

To amend and reenact R.S. 18:491, relative to elections; to authorize certain elected officials to bring an action objecting to the candidacy of a person who qualifies in a primary election; to require creditable evidence; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 882 by Senator Malone

### AMENDMENT NO. 1

On page 1, line 15, after "presented" delete the remainder of the line and on page 2, delete lines 1 and 2

### AMENDMENT NO. 2

On page 2, line 6, after "file an action" delete the remainder of the line and insert "objecting to candidacy within the time limitation provided in R.S. 18:493."

Senator Malone moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler



Dardenne  
Dean  
Dupre  
Ellington  
Total—36

Johnson  
Jones, B  
Jones, CD  
Lambert

Smith  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—3

Irons

Tarver

The Chair declared the amendments proposed by the House were concurred in. Senator Malone moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 900—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:2218.4(B), relative to extra compensation paid by the state to police and deputy sheriffs; to grant authority to certain local officials to sign warrants to disburse such funds; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Reengrossed Senate Bill No. 900 by Senator Boissiere

**AMENDMENT NO. 1**

On page 1, line 2, change "(B)" to "(A) and (B) and to enact R.S. 33:2218.4(E)"

**AMENDMENT NO. 2**

On page 1, line 7, change "(B)" to "(A) and (B)" and between "reenacted" and "to" insert "and R.S. 33:2218.4(E) is hereby enacted"

**AMENDMENT NO. 3**

On page 1, delete lines 10 through 15, and insert the following:

"A. The funds appropriated and dedicated as herein provided shall be disbursed upon warrants drawn by the mayors of the respective municipalities coming under the provisions of this ~~Subpart~~ **Subpart**, which warrants shall have attached to them a detailed list of the names of the officers for whose benefit any particular warrant is drawn, together with the completed years of service of such officers and such other information as the ~~Director~~ **secretary** of the ~~State~~ Department of Public Safety **and Corrections** may require."

B. The mayors of the respective municipalities shall forward the warrants to the ~~Director~~ **secretary** of the ~~State~~ Department of Public"

**AMENDMENT NO. 4**

On page 2, lines 2 and 8, change "**director**" to "**secretary**"

**AMENDMENT NO. 5**

On page 2, lines 5 and 8, change "Sub-Part" to "Subpart"

**AMENDMENT NO. 6**

On page 2, after line 12, add the following:

**"R.S. 33:2218.4(E) is all new law.**

(E)(1) As used in this Section, references to "municipality" and "municipal" shall include political subdivisions whose employees are peace officer standards and training (POST) certified and who are entitled to extra compensation from the state.

(2) As used in this Section, reference to "mayor" includes his designee and also includes the executive director of a political subdivision whose employees are peace officer standards and training

(POST) certified and who are entitled to extra compensation from the state."

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Fields  
Total—35

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini

Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Ellington  
Total—4

Irons  
Tarver

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 908—**  
BY SENATOR HAINKEL

AN ACT

To enact Chapter 9 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:760 through 772, relative to emergency health powers; to provide for a plan dealing with a health emergency; to provide who can declare such an emergency, for what length of time and who can end such an emergency; to provide for isolation and quarantine of infected citizens; to provide for an organizational and operational structure that is compatible with the Louisiana Emergency Assistance and Disaster Act of 1993; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 908 by Senator Hainkel

**AMENDMENT NO. 1**

On page 6, line 15, after "means" and before "the" delete "a representative of"

**AMENDMENT NO. 2**

On page 11, line 25, after "made" and before "electronically" insert "immediately by telephone to the office of public health, infectious disease epidemiology section, as required by the Louisiana State Sanitary Code, and then"

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walsworth to Reengrossed Senate Bill No. 908 by Senator Hainkel

### AMENDMENT NO. 1

On page 12, line 7 after "information" delete the remainder of the line and insert in lieu thereof "in compliance with Patient Privacy Protections contained in the Health Insurance Portability and Accountability Act of 1996:"

Senator Hainkel moved to reject the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Johnson	Smith
Chaisson	Jones, B	Theunissen
Cravins	Jones, CD	Thomas
Dardenne	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

### NAYS

Dean  
Total—1

### ABSENT

Hines	Irons
Hoyt	Tarver
Total—4	

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

### **SENATE BILL NO. 909—** BY SENATOR CAIN

#### AN ACT

To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed Senate Bill No. 909 by Senator Cain

### AMENDMENT NO. 1

On page 1, line 2, after "45:844.8" insert "and 844.12(4)(g)"

### AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete "wireless"

### AMENDMENT NO. 3

On page 1, line 4, after "Commission;" insert "to provide for telephonic solicitations; to provide for exceptions;"

### AMENDMENT NO. 4

On page 1, line 6, change "R.S. 45:844.8 is" to R.S. 45:844.8 and 844.12(4)(g) are"

### AMENDMENT NO. 5

On page 1, below line 11, insert the following:

\* \* \*

#### §844.12. Definitions

As used in this Chapter, the following terms and phrases shall have the meanings hereinafter ascribed to them:

\* \* \*

(4) "Telephonic solicitation" means any voice or data communication made by a telephonic solicitor to a residential telephonic subscriber for the purpose of encouraging a sale or rental of or investment in property, consumer goods, or services; or for the purpose of encouraging an extension of credit for property, consumer goods, or services; or for the purpose of obtaining information that will or may be used for the direct solicitation of a sale or rental of or investment in property, consumer goods, or services or an extension of credit for such purposes; or for the solicitation of a contribution to a charitable organization, but does not include voice or data communications made for any of the following reasons:

\* \* \*

### **R.S. 45:844.12(4)(g) is all proposed new law.**

(g) By a person or business that does not complete the sales presentation during the telephone solicitation and made in contemplation of the sales presentation being completed at a later face-to-face meeting between the telephonic solicitor and the person contacted."

Senator Cain moved to reject the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—33		

### NAYS

Cravins  
Total—1

### ABSENT

Mr. President	Irons	Tarver
Hoyt	Lambert	
Total—5		

The Chair declared the amendments proposed by the House were rejected. Senator Cain moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 931—**  
BY SENATOR ELLINGTON

## AN ACT

To amend and reenact Children's Code Art. 1263, relative to the action to annul a final decree of adoption; to provide for the preemptive period in all cases; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Green to Reengrossed Senate Bill No. 931 by Senator Ellington

AMENDMENT NO. 1

On page 1, at the beginning of line 9, insert "A."

AMENDMENT NO. 2

On page 1, line 10, after "perpetrated by" delete the remainder of the line and insert "anyone other than the adoptive parent"

AMENDMENT NO. 3

On page 1, between lines 14 and 15, insert the following:

"B. An action to annul a final decree of adoption based upon a claim of fraud or duress perpetrated by an adoptive parent must be brought within six months from discovery of the fraud or duress and in no event later than two years from the date of the signing of the final decree or mailing of the judgment when required."

Senator Ellington moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Malone
Bajore	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

## NAYS

Total—0

## ABSENT

Irons	Lentini	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 942—**  
BY SENATOR THOMAS

## AN ACT

To authorize the secretary for the Department of Health and Hospitals and the commissioner of administration, for and on behalf of the state, to enter into an agreement with respect to the exchange of certain properties in Washington Parish; to authorize and provide for the transfer or lease of certain state property in a parish with a population between eighteen thousand five hundred and nineteen thousand according to the latest federal decennial census from the Department of Health and Hospitals to a fire protection district within such parish, through the governing authority of the district; to authorize the Secretary of the Department of Social Services and the commissioner of administration to enter into a cooperative agreement with the parish governing authority of Tangipahoa Parish for the purpose of utilization of certain real property for the operation of a 911 system; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 942 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 14, delete "for the operation of a 911 system"

AMENDMENT NO. 2

On page 4, line 2, after "title to" delete the remainder of the line and insert in lieu thereof "a portion not to exceed one acre"

AMENDMENT NO. 3

On page 6, line 5, after "rights, to" insert "a reasonable portion necessary to conduct the volunteer fire department's activities of"

AMENDMENT NO. 4

On page 6, line 6, after "herein," insert "not to exceed one acre,"

AMENDMENT NO. 5

On page 6, line 12, change "all or" to "a"

AMENDMENT NO. 6

On page 6, line 16, delete "the parish of"

AMENDMENT NO. 7

On page 6, delete line 19 and insert in lieu thereof "improvements thereon. The"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Carter to Reengrossed Senate Bill No. 942 by Senator Thomas

AMENDMENT NO. 1

On page 6, line 19, before the period "." insert, " or for other governmental purposes"

Senator Thomas moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

## YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cain	Tarver
Irons	Thomas
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Thomas moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 963—**

BY SENATORS CRAVINS, MICHOT, IRONS AND HOLDEN AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

**AN ACT**

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Re-reengrossed Senate Bill No. 963 by Senator Cravins, et al

**AMENDMENT NO. 1**

On page 1, line 2, change "R.S. 15:902.2," to "R.S. 15:902.2 and 902.3,"

**AMENDMENT NO. 2**

On page 1, line 6, after "facility;" and before "to provide for" insert "to create a juvenile placement review process;"

**AMENDMENT NO. 3**

On page 1, line 9, "R.S. 15:902.2 is" to "R.S. 15:902.2 and 902.3 are"

**AMENDMENT NO. 4**

On page 1, delete lines 13 through 15 in their entirety and in lieu thereof insert the following:

A.(1) By December 31, 2004, the Swanson Correctional Center for Youth-Madison Parish Unit at Tallulah, Louisiana shall no longer be used as a juvenile facility.

(2) Notwithstanding any provision of Paragraph (A)(1) of this Subsection, the governor by executive order and upon a declaration that there is a public safety emergency which necessitates the use of Swanson Correctional Center for Youth-Madison Parish Unit as a juvenile facility may extend the closure date by a period not to exceed five months from the date of issuance of the declaration of emergency. Under no circumstances shall Swanson Correctional

Center for Youth-Madison Parish Unit be used as a juvenile facility after May 31, 2005.

(3) No provision of this Subsection shall prohibit the department from closing Swanson Correctional Center for Youth-Madison Parish Unit at any time prior to December 31, 2004, should the protection and public safety of society permit.

B.(1) The Department of Public Safety and Corrections shall develop a comprehensive plan for the transitioning of these youth based upon the health, safety, and best interests of each child and the protection and public safety of society. The comprehensive plan:

(a) Shall include a specific plan for provision of aftercare services to meet the needs of juveniles for whom release to the community is recommended and to provide for safety to the community.

(b) Shall include a specific date after which youths adjudicated delinquent and committed to the department shall no longer be assigned or reassigned to Swanson Correctional Center for Youth-Madison Parish Unit.

(c) Shall include a recommendation by which monies used to fund the operation of Swanson Correctional Center for Youth-Madison Parish Unit can be used for the creation and maintenance of a continuum of community-based treatment and supervision programs for youth within the Louisiana juvenile justice system.

(d) May include recommendations for an alternative use of the facility and property of the former Swanson Correctional Center for Youth-Madison Parish Unit.

(2) The secretary of the department shall submit the plan on or before August 1, 2003, to the governor, to the Joint Legislative Committee on the Budget, and to the Juvenile Justice Reform Act Implementation Commission created by R.S. 46:2751 et seq.

(3) Beginning on August 1, 2003, and every month thereafter until such time as Swanson Correctional Center for Youth-Madison Parish Unit is discontinued as a juvenile facility, the department shall submit to the Juvenile Justice Reform Act Implementation Commission a status report detailing:

(a) The total number of youths in the facility.

(b) The number of youths transitioned out of the facility and the facility to which the child was transferred.

(c) The number of youths, if any, placed in the facility, and the reason for this placement as opposed to placement in another juvenile facility, subject to applicable confidentiality requirements.

(d) Other information requested by the commission.

C. The Juvenile Justice Reform Act Implementation Commission shall make recommendations to the governor and legislature, including the Joint Legislative Committee on the Budget, prior to the 2004 Regular Session of the Legislature, regarding suggested executive action or required legislation and funding for juvenile justice services, facilities, and personnel.

**AMENDMENT NO. 5**

Delete page 2 in its entirety and in lieu thereof insert the following: §902.3. Juvenile placement review process

A. The legislature hereby finds that in order to improve our juvenile justice system it is necessary that every juvenile in the custody of the Department of Public Safety and Corrections be reviewed periodically in order to determine whether the juvenile is placed in the least restrictive placement most appropriate to their needs and consistent with the circumstances of the case and the protection of the best interests of society and the safety of the public within the state. In order to facilitate the transition of the Swanson Correctional Center for Youth-Madison Parish Unit to alternate adult offender utilization as provided in R.S. 15:902.2, the provisions of this Section shall be applicable.

B. The placement review shall be conducted by the department through such multi-disciplinary review panel as the secretary of the department shall designate. This placement review shall include an assessment of the needs and progress of the individual juvenile, the risk of danger to society, and the community resources needed to serve the best interest of the child and society and a recommendation for placement and services.

C. The secretary of the department shall establish and promulgate rules, regulations, and procedures to govern the placement review process. Such rules shall include provisions for the department to notify appropriate law enforcement communities and any registered crime victim of the placement review recommendation at the time the recommendation is provided to the judge.

D. When the assessment results in a determination that the juvenile be transferred to a less restrictive setting, including but not limited to release pursuant to R.S. 15:906 or transfer pursuant to R.S. 15:907, the department shall develop recommendations for placement, care, and treatment in accordance with the assessment.

E. If the recommendation includes placement in a less restrictive setting, the department shall file a motion with the court and serve a copy of the motion on the district attorney in accordance with Children's Code Article 911. The motion shall include all of the following:

(1) The recommendation of the department.  
(2) All relevant documentation supporting the recommendation including but not limited to the needs and risk assessments.

(3) An aftercare plan developed by the department when the recommendation is for release pursuant to R.S. 15:906.

F. The recommendations shall be implemented by the department unless the court, within fourteen legal days of receipt of the motion and accompanying documentation does any one of the following:

(1) Rejects the recommendations and denies the motion.  
(2) Notifies the department in writing that there is no objection and the recommendations have been accepted as orders of the court.  
(3) Schedules a hearing and issues an order rejecting or modifying the recommendations of the department.

G. Juveniles adjudicated delinquent and given a disposition under the provisions of Children's Code Article 897.1 shall not be eligible for consideration under the provisions of this Section.

#### AMENDMENT NO. 6

On page 3, delete lines 1 through 8 in their entirety and in lieu thereof insert the following:

"Section 2.(A) Notwithstanding the provisions of this Act, for as long as the state is obligated for debt service on the Swanson Correctional Center for Youth-Madison Parish Unit (SCCY-MPU) facility at Tallulah, Louisiana, the state shall provide alternative uses for the facility as a correctional facility.

(B) Savings attributed to the reduction of services and employees otherwise needed at SCCY-MPU but for the transitioning of adjudicated juveniles pursuant to the provisions of Section 2 of this Act, shall be used as follows:

(1) To increase the availability of alternative programs for adjudicated juveniles being served in the parishes of East Carroll, West Carroll, Madison, Richland, and Tensas and for a community-based system of care for adjudicated juveniles residing in those parishes, through the funding of contract services programs in the amount of forty percent of the savings, not to exceed three million dollars, in order to offset the loss of services and jobs which would have otherwise been required to provide juvenile services at SCCY-MPU.

(2) To increase the availability of a community-based system of care for adjudicated juveniles in all other parishes through the funding of contract services programs in an amount equal to the balance of the savings."

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Thompson, Hammett, Hunter, and Landrieu to Re-reengrossed Senate Bill No. 963 by Senator Cravins

#### AMENDMENT NO. 1

In House Committee Amendment No. 6 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 9, 2003, on line 44, delete

"Savings" and insert in lieu thereof "The executive budget submitted annually by the governor shall provide that savings"

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Re-reengrossed Senate Bill No. 963 by Senator Cravins

#### AMENDMENT NO. 1

On page 3, line 9, change "2003" to "2005"

Senator Cravins moved to reject the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Irons	Tarver
Total—2	

The Chair declared the amendments proposed by the House were rejected. Senator Cravins moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

#### SENATE BILL NO. 986— BY SENATOR IRONS

#### AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 986 by Senator Irons

#### AMENDMENT NO. 1

On page 2, line 2, after "system," insert "who receives a career-ending service injury while participating in the Deferred Retirement Option Plan,"

Senator Boissiere moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Irons	Tarver
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 1008— BY SENATOR MCPHERSON

#### AN ACT

To enact R.S. 33:2451(A)(13) and (14), relative to the civil service system and personnel administration in Rapides Parish; to exempt certain program director positions from the civil service system; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Engrossed Senate Bill No. 1008 by Senator McPherson

#### AMENDMENT NO. 1

On page 1, line 2, after "To" and before "relative" delete "enact R.S. 33:2451(A)(13) and (14)," and insert in lieu thereof "amend and reenact R.S. 33:2451,"

#### AMENDMENT NO. 2

On page 1, line 3, after "Rapides Parish; to" delete the remainder of the line and on line 4, delete "director positions from the civil service system;" and insert in lieu thereof "authorize the civil service board, by rule, to exempt positions from provisions of law regarding appointment, promotion, and dismissal; to provide limitations;"

#### AMENDMENT NO. 3

On page 1, line 8, after "Section 1." change "R.S. 33:2451(A)(13) and (14) are hereby enacted" to "R.S. 33:2451 is hereby amended and reenacted"

#### AMENDMENT NO. 4

On page 1, line 15, after "this" and before "regarding" change "law" to "Part"

#### AMENDMENT NO. 5

On page 2, delete lines 2 through 7 and insert:

- "(1) All elected officials.
- (2) The parish treasurer.
- (3) The parish administrator.
- (4) Members of advisory boards and political subdivisions created by the police jury and their employees.
- (5) Organizations and their employees and other persons who are employed by the parish on a contractual or part-time basis.
- (6) The parish attorney and his legal assistants.
- (7) The public works director.
- (8) The federal programs director.
- (9) The sales tax director.
- (10) The parish secretary.
- (11) Parish firefighters.
- (12) Any other employee expressly forbidden from participation in a civil service system by the constitution or statute.

B. The civil service board may provide by rule that additional positions shall not be subject to the provisions of this Part regarding appointment, promotion, and dismissal; however, the board shall not add more than one position per calendar year to the positions excepted from such provisions and any such changes shall be subject to the approval of the police jury by two thirds vote.

B-C. The appointment and dismissal of parish employees subject to this Part shall be made by the police jury, or its designee, and shall be subject to the provisions of this Part."

Senator McPherson moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Cravins	Irons	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 1064— BY SENATOR MARIONNEAUX

#### AN ACT

To enact R.S. 13:2488.62(E), relative to the City Court of Plaquemine; to authorize the court to assess a fee to be used for substance abuse treatment; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Devillier and Cazayoux to Reengrossed Senate Bill No. 1064 by Senator Marionneaux

##### AMENDMENT NO. 1

On page 1, after "To" and before "enact" insert "amend and reenact R.S. 13:2488.62(A)(C)(2) and to"

##### AMENDMENT NO. 2

After "Section 1." and before "R.S." insert "R.S. 13:2488.62(A)(C)(2) is hereby amended and reenacted and"

##### AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"§2488.62 Compensation of judge, marshal, clerk and deputy clerk;  
collection and disposition of fines, forfeitures, and costs  
\* \* \*

C.

\* \* \*

(2) The salary of the public defender ~~shall~~ may be fixed by the judge of the court and ~~shall~~ may be paid out of the court costs assessed for the public defender, except that the public defender shall receive a minimum salary of five hundred dollars per month. Such court costs shall not exceed ~~seventeen dollars and fifty cents~~ thirty dollars for each ~~misdemeanor~~ violation.  
\* \* \*

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 1064 by Senator Marionneaux

##### AMENDMENT NO. 1

On page 1, line 2, after "enact" and before the comma ",", delete "R.S. 13:2488.62(E)" and insert in lieu thereof "R.S. 13:1000.6 and 2488.62(E)"

##### AMENDMENT NO. 2

On page 1, line 2, after "the" and before "City" insert "drug division of the Nineteenth Judicial District Court and the"

##### AMENDMENT NO. 3

On page 1, line 2, after "Plaquemine;" and before "to" insert "to authorize the assessment of an additional fee for convictions in the drug division of the Nineteenth Judicial District Court; to provide that the additional fee shall be used for the cost of treatment programs; to provide for auditing of the fees;"

##### AMENDMENT NO. 4

On page 1, line 3, after "the" and before "to" delete "court" and insert in lieu thereof "City Court of Plaquemine"

##### AMENDMENT NO. 5

On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 13:2488.62(E) is" and insert in lieu thereof "R.S. 13:1000.6 and 2488.62(E) are"

##### AMENDMENT NO. 6

On page 1, between lines 7 and 8, insert the following:

**"R.S. 13:1000.6 is all proposed new law.**

"§1000.6. Nineteenth Judicial District Court, drug division; additional fees for treatment programs

A. In all criminal cases of which the drug division of the Nineteenth Judicial District Court has jurisdiction, there may be assessed as an additional fee against every defendant who is convicted after trial or who pleads guilty or forfeits bond a sum in an

amount not to exceed what is necessary to pay for the cost of or part of the cost of the defendant's participation in a treatment program as defined in R.S. 13:5303(9).

B. A judge of the drug division shall cause to be conducted annually an audit of the account and the books and accounts relating thereto and shall file the audit with the office of the legislative auditor where it shall be available for public inspection.  
\* \* \*

§2488.62. Compensation of judge, marshal, clerk, and deputy clerk;  
collection and disposition of fines, forfeitures, and costs  
\* \* \*

##### AMENDMENT NO. 7

On page 1, line 9, change "violations," to "convictions;"

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Reengrossed Senate Bill No. 1064 by Senator Marionneaux

##### AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 5 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 19, 2003.

##### AMENDMENT NO. 2

On page 1, line 2, after "enact" delete the remainder of the line in its entirety and insert in lieu thereof "R.S. 13:587.3, 1000.6, and 2488.62(E), relative to courts; to authorize the judges in the Nineteenth Judicial District by court rule to assign matters to be heard by specified divisions; to authorize the assessment of an additional fee for convictions in the drug division of the Nineteenth Judicial District Court; to provide that the additional fee shall be used for the cost of treatment programs; to provide for auditing of the fees; and to authorize the City Court of Plaquemine"

##### AMENDMENT NO. 3

On page 1, at the beginning of line 3, delete "authorize the court"

##### AMENDMENT NO. 4

On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 13:2488.62(E)" and insert in lieu thereof "R.S. 13:587.3, 1000.6, and 2488.62(E) are"

##### AMENDMENT NO. 5

In House Committee Amendment No. 6 proposed by the House Committee on Judiciary and adopted by the House of Representatives on June 19, 2003, on page 1, between lines 21 and 22 insert the following:

"§587.3. Nineteenth Judicial District; divisions; subject matter

A. Respecting seniority and the requirement that all cases be assigned randomly within multi-judge groupings, the judges of the Nineteenth Judicial District Court, by rule adopted by a majority vote of the judges sitting en banc, with the consent of the judge of a division, may assign to that division criminal matters or civil matters or drug court matters or any or all types of matters of which the court has jurisdiction.

B. Notwithstanding any principal assignments to divisions, all divisions of the court shall retain general jurisdiction to hear all matters.  
\* \* \*

Senator Marionneaux moved to reject the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Irons	Tarver	Thomas
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Marionneaux moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

### SENATE BILL NO. 1076— BY SENATOR BOISSIERE

#### AN ACT

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state public retirement or pension systems, funds, and plans; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to invest in small and emerging businesses, venture capital firms, and in-state money management firms; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to use in or out-of-state emerging businesses, money managers, and venture capital firms; to require each Louisiana state public retirement or pension system, fund, or plan to direct at least ten percent of all investment trades through a broker-dealer who maintains an office in Louisiana and ten percent through a broker-dealer who has been incorporated and domiciled in Louisiana for at least two years; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Re-engrossed Senate Bill No. 1076 by Senator Boissiere

#### AMENDMENT NO. 1

On page 1, line 5, after "fund" insert a comma ","

#### AMENDMENT NO. 2

On page 1, line 9, after "fund" insert a comma ","

#### AMENDMENT NO. 3

On page 1, line 10, change "in" to "in-state"

#### AMENDMENT NO. 4

On page 1, line 11, delete "to require" and insert in lieu thereof "to provide for a two-year pilot program, requiring"

#### AMENDMENT NO. 5

On page 1, line 13, after "through" delete "a"

#### AMENDMENT NO. 6

On page 1, at the beginning of line 14, change "dealer" to "dealers"

#### AMENDMENT NO. 7

On page 1, at the end of line 14, delete "a"

#### AMENDMENT NO. 8

On page 1, at the beginning of line 15, change "broker-dealer" to "broker-dealers"

#### AMENDMENT NO. 9

On page 1, line 15, after "who" and before "been" change "has" to "have"

#### AMENDMENT NO. 10

On page 2, line 1, after "years;" insert "to provide for interim cost analyses on the results of the pilot program; to provide a sunset date for the pilot program;"

#### AMENDMENT NO. 11

On page 2, line 13, after "11:268" delete the period "." and insert "so long as such investment otherwise complies with the provisions of this Section."

#### AMENDMENT NO. 12

On page 2, line 21, after "all" delete the remainder of the line and delete lines 22 and 23 in their entirety and insert in lieu thereof: "trades of listed equity and fixed income separately managed accounts through broker-dealers who maintain offices in Louisiana and ten percent of all trades of listed equity and fixed income separately managed accounts through broker-dealers who have"

#### AMENDMENT NO. 13

On page 2, line 25, after "who" change "is" to "are"

#### AMENDMENT NO. 14

On page 2, line 26, after "Dealers" insert a comma ","

#### AMENDMENT NO. 15

On page 3, between lines 4 and 5, insert:

"D. The provisions of this Section shall be implemented as a temporary pilot program and shall be null, void, and of no effect after June 30, 2005. An interim cost analysis of the provisions of this Section shall be performed by the systems and shall be presented to the speaker of the House of Representatives, the president of the Senate, the chairmen of the House of Representatives and Senate committees on retirement, the Public Retirement Systems' Actuarial Committee, and the Commission on Public Retirement at least fourteen days before the convening of the regular legislative session in 2005."

#### AMENDMENT NO. 16

On page 3, delete line 21 in its entirety and insert in lieu thereof "the state public retirement or pension systems, funds, or plans; however, the"

#### AMENDMENT NO. 17

On page 4, line 17, after "indirectly" insert a comma ","

#### AMENDMENT NO. 18

On page 4, line 21, after "fund," change "and" to "or"

#### AMENDMENT NO. 19

On page 4, at the beginning of line 25, change "Section 2." to "F."

#### AMENDMENT NO. 20

On page 5, line 1, after "Senate" delete the remainder of the line and insert "and House of Representatives committees on retirement on"

#### AMENDMENT NO. 21



On page 5, at the beginning of line 5, delete "are either" and insert in lieu thereof "either have been"

#### AMENDMENT NO. 22

On page 5, at the beginning of line 6, delete "maintains an office" and insert in lieu thereof "maintain offices"

#### AMENDMENT NO. 23

On page 5, line 7, change "in" to "in-state"

#### AMENDMENT NO. 24

On page 5, between lines 7 and 8, insert:

"G. The provisions of this Section shall be null, void, and of no effect after June 30, 2005.

Section 2. The pilot program established by this Act shall not be extended unless and until the House of Representatives and Senate committees on retirement meeting jointly, the Public Retirement Systems' Actuarial Committee, and the Commission on Public Retirement have held public meetings to discuss the cost analysis of the systems and the legislature extends the provisions of this Act by legislative enactment."

Senator Boissiere moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Irons	Tarver	Thomas
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### **SENATE BILL NO. 1080—**

BY SENATOR ELLINGTON

#### AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to prohibit incentives for tires processed outside of Louisiana; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Damico to Reengrossed Senate Bill No. 1080 by Senator Ellington

#### AMENDMENT NO. 1

On page 1, line 2, after "(7)" delete the comma "," and insert "and to enact R.S. 36:104(B)(8),"

#### AMENDMENT NO. 2

On page 1, line 4, after "Louisiana;" insert "to provide for agreements between the Departments of Environmental Quality and Economic Development;"

#### AMENDMENT NO. 3

On page 3, at the end of line 6, insert the following: "**The department shall make recommendations to the House Committee on the Environment and Senate Committee on Environmental Quality for tax credits to encourage the development and implementation of technologies utilizing used and recycled tire rubber.**"

#### AMENDMENT NO. 4

On page 3, after line 14, insert the following:

"Section 2. R.S. 36:104(B)(8) is hereby enacted to read as follows:

§104. Powers and duties of the secretary of economic development

\* \* \*

B. The secretary shall have the authority to:

\* \* \*

#### **R.S. 36:104(B)(8) is all proposed new law.**

(8) Enter into interagency or cooperative agreements with the Department of Environmental Quality to explore and develop markets and technologies for used or recycled tire rubber that will assist and enable the development of Louisiana businesses."

Senator Ellington moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

#### NAYS

Total—0

#### ABSENT

Irons	Tarver
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

# Page 34 SENATE

June 20, 2003

## 46th DAY'S PROCEEDINGS

### SENATE BILL NO. 1094— BY SENATOR THOMAS

#### AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to ethics; to permit an electrician who is the immediate family member of a school board member to be employed in the parish of that member; to provide that the exception shall only apply in parishes with a certain student enrollment population; to provide that the immediate family member of the school board member shall be an experienced electrician; to provide that a school board member shall recuse himself from voting on matters which involve promotion or assignments of such immediate family member; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 1094 by Senator Thomas

#### AMENDMENT NO. 1

On page 2, line 7, delete "forty-six hundred" and insert "four thousand nine hundred fifty"

Senator Thomas moved to concur in the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Irons	Marionneaux	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Thomas moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

### SENATE BILL NO. 1101—

BY SENATOR HOLDEN AND REPRESENTATIVE WESTON-BROOME  
AN ACT

To enact Part IV of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1091 through 1093, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for

membership of the board; to authorize the issuance of bonds; to require voter approval prior to the imposition of any tax or issuance of any bonded indebtedness; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative R. Carter to Reengrossed Senate Bill No. 1101 by Senator Holden and Representative Broome

#### AMENDMENT NO. 1

On page 2, at the end of line 11, insert the following: "However, the district shall not include any parish with a population of less than fifteen thousand persons based on the latest federal decennial census."

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McVea to Reengrossed Senate Bill No. 1101 by Senator Holden and Representative Broome

#### AMENDMENT NO. 1

Delete House Floor Amendment No. 1 proposed by Representative R. Carter and adopted by the House on June 19, 2003.

#### AMENDMENT NO. 2

On page 2, at the end of line 11, insert the following: "However, the district shall not include any parish with a population of less than fifteen thousand persons or any parish with a population of not more than twenty-one thousand five hundred and not less than seventeen thousand five hundred persons based on the latest federal decennial census."

Senator Holden moved to reject the amendments proposed by the House.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—35		

#### NAYS

Total—0

#### ABSENT

Boissiere	Tarver
Irons	Thomas
Total—4	

The Chair declared the amendments proposed by the House were rejected. Senator Holden moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1110—**  
BY SENATOR BOISSIERE

## AN ACT

To enact Part I-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:25.1 through 25.2, relative to motor vehicle insurance; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 1110 by Senator Boissiere

AMENDMENT NO. 1

On page 2, delete lines 19 through 22, both inclusive and in their entirety.

AMENDMENT NO. 2

On page 2, line 23 change "shall" to "may"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative R. Carter to Engrossed Senate Bill No. 1110 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 22:658(A)(4) and (B)(1) and to"

AMENDMENT NO. 2

On page 1, line 4, after "insurance;" insert "to provide for penalties for failure to make a written offer to settle to third-party claimants;"

AMENDMENT NO. 3

On page 1, line 9, after "1." insert "R.S. 22:658(A)(4) and (B)(1) are hereby amended and reenacted and"

AMENDMENT NO. 4

On page 4, after line 5, insert a line of asterisks " \* \* \* " and the following:

"§658. Payment and adjustment of claims, policies other than life and health and accident; personal vehicle damage claims; penalties; arson-related claims suspension

A.

\* \* \*

(4) All insurers shall make a written offer to settle any property damage claim, including a third-party claim, within thirty days after receipt of satisfactory proofs of loss of that claim.

B.(1) Failure to make such payment within thirty days after receipt of such satisfactory written proofs and demand therefor or failure to make a written offer to settle any property damage claim, including a third-party claim, within thirty days after receipt of satisfactory proofs of loss of that claim, as provided in R.S. 22:658(A)(1) Paragraphs (A)(1) and (4), respectively, or failure to make such payment within thirty days after written agreement or settlement as provided in R.S. 22:658(A)(2) Paragraph (A)(2), when such failure is found to be arbitrary, capricious, or without probable cause, shall subject the insurer to a penalty, in addition to the amount of the loss, of ~~ten~~ twenty-five percent damages on the amount found to be due from the insurer to the insured, or one thousand dollars, whichever is greater, payable to the insured, or to any of said employees, ~~together with all reasonable attorney fees for the prosecution and collection of such loss~~, or in the event a partial payment or tender has been made, ~~ten~~ twenty-five percent of the difference between the amount paid or tendered and the amount

found to be due ~~and all reasonable attorney fees for the prosecution and collection of such amount.~~

\* \* \*

Senator Boissiere moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, CD	Ullo
Dean	Lambert	
Dupre	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Heitmeier	Irons	Tarver
Hines	Schedler	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1119—**  
BY SENATOR SCHEDLER

## AN ACT

To amend and reenact Sections 2 and 3 and to enact Section 1(C), Section 1.1, Section 2.1, and Section 9 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to abolish the current board of commissioners for St. Tammany Parish Hospital Service District No. 2 and to provide for the appointment of a new board; to provide for a nominating committee to nominate candidates to the appointing authorities; to provide for the qualifications for members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 2; to provide for terms of office for the nominating committee and the board of commissioners; to provide for authority to levy a sales and use tax; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1119 by Senator Schedler

AMENDMENT NO. 1

# Page 36 SENATE

June 20, 2003

## 46th DAY'S PROCEEDINGS

On page 1, line 2, after "reenact" change "Sections 2 and 3 and" to "the caption of Section 2 and Section 3(9)(b), (12), (13), and (20),"

### AMENDMENT NO. 2

On page 1, line 3, after "Section 2.1, and" delete "Section 9" and insert "Section 3(9)(c) and (d), and to repeal Section 2(B) and Section 3(14)"

### AMENDMENT NO. 3

On page 1, line 11, change "authorities;" to "authority;"

### AMENDMENT NO. 4

On page 1, line 15 after "commissioners;" delete "to provide for authority to levy a sales and use tax;"

### AMENDMENT NO. 5

On page 2, line 4, after "Section 1." change "Sections 2 and 3" to "The caption of Section 2 and Section 3(9)(b), (12), (13), and (20)"

### AMENDMENT NO. 6

On page 2, line 8, after "Section 1.1" and before "Section" delete "and" and insert a comma ","

### AMENDMENT NO. 7

On page 2, at the beginning of line 9, after "2.1" insert a comma "," and insert "and Section 3(9)(c) and (d) of said Act No. 180 of the 1984 Regular Session of the Legislature, as so amended,"

### AMENDMENT NO. 8

On page 2, line 18, after "date of" and before "Act which" change "this" to "the"

### AMENDMENT NO. 9

On page 2, line 19, after "Bill" and before "of the" insert "No. 1119"

### AMENDMENT NO. 10

On page 4, delete lines 2 and 3 in their entirety and insert the following: "Parish for not less than two years prior to appointment. Seven members shall be appointed pursuant to Subsection B of this Section and two shall be appointed pursuant to Subsection C of this Section."

### AMENDMENT NO. 11

On page 4, delete line 12, and insert the following: "chosen by a permanent nominating committee as provided in this Subsection. The entities appointing members of the nominating committee shall submit a copy of their initial appointments to the state senator representing the majority of Wards 6, 7, 8, and 9 of St. Tammany Parish. Once the members of the nominating committee have been appointed, the state senator representing the majority of Wards 6, 7, 8, and 9 of St. Tammany Parish shall call the initial meeting of the nominating committee within ten days after receipt of the appointment of the ninth member of the committee."

### AMENDMENT NO. 12

On page 4, line 13 after "shall be" insert "named within thirty days after the effective date of this Subsection and when a board vacancy occurs and shall be"

### AMENDMENT NO. 13

On page 4, delete lines 15 through 24 and insert the following: "(a) Three persons appointed jointly by the mayor and the city council of Slidell.

(b) Three persons appointed jointly by the parish president and the parish governing authority of St. Tammany Parish.

(c) Three persons appointed jointly by the legislative delegation comprised of all state representatives and senators who represent all or part of Wards 6, 7, 8, or 9 of St. Tammany Parish. The legislative delegation shall choose among nominees of the Slidell Memorial Hospital medical staff."

### AMENDMENT NO. 14

On page 5, line 1, change "of this Act" to "of the Act"

### AMENDMENT NO. 15

On page 5, line 1, after "Bill" and before "of the" insert "No. 1119"

### AMENDMENT NO. 16

On page 5, line 4, after "(a)" change "Two" to "Three"

### AMENDMENT NO. 17

On page 5, line 6, after "(b)" change "Two" to "Three"

### AMENDMENT NO. 18

On page 6, line 4 after "shall" insert "hold interviews in a public forum and as a result of the forum"

### AMENDMENT NO. 19

On page 6, line 4, before "a list" insert "to the appointing authority provided for in this Subsection"

### AMENDMENT NO. 20

On page 6, line 8, delete "need" and insert "shall"

### AMENDMENT NO. 21

On page 6, at the end of line 10, delete "chosen" and insert "appointed in a public forum by the appointing authority"

### AMENDMENT NO. 22

On page 6, line 11, after "of the list" delete the comma and insert a period.

### AMENDMENT NO. 23

On page 6, line 11, before "as" insert "The appointing authority shall be composed"

### AMENDMENT NO. 24

On page 7, delete line 5 in its entirety and insert the following: "Memorial Hospital medical staff shall be nominated and appointed as follows:"

### AMENDMENT NO. 25

On page 7, line 13, change "board shall accept" to "appointing authority shall appoint"

### AMENDMENT NO. 26

On page 8, line 19, delete "of that member." and insert a comma ","

### AMENDMENT NO. 27

On page 9, line 16, delete "respective"

### AMENDMENT NO. 28

On page 12, delete line 22 in its entirety and insert "(2) Members"

### AMENDMENT NO. 29

On page 15, delete line 7

### AMENDMENT NO. 30

On page 15, at the beginning of line 10, delete "A."

### AMENDMENT NO. 31

On page 17, after line 21, delete the remainder of the page and delete page 18 and on page 19, delete lines 1 through 13 and insert in lieu thereof:

"Section 2. Section 2(B) and Section 3(14) of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, are hereby repealed in their entirety."

### AMENDMENT NO. 32

On page 19, line 14, change "Section 2." to "Section 3."

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crowe to Reengrossed Senate Bill No. 1119 by Senator Schedler

#### AMENDMENT NO. 1

Delete House Committee Amendment Nos. 2 and 7 proposed by the House Committee on Municipal, Parochial, and Cultural Affairs and adopted by the House of Representatives on June 2, 2003

#### AMENDMENT NO. 2

On page 1, line 3, after "Section 2.1," delete "and Section 9" and insert "Section 3(9)(c) and (d), and Section 8.1, and to repeal Section 2(B) and Section 3(14)"

#### AMENDMENT NO. 3

On page 2, at the beginning of line 9, after "2.1" insert a comma ", and insert "Section 3(9)(c) and (d), and Section 8.1 of said Act No. 180 of the 1984 Regular Session of the Legislature, as so amended,"

#### AMENDMENT NO. 4

On page 4, line 1, after "8." delete "and" and insert "or"

#### AMENDMENT NO. 5

On page 6, line 17, after "the" delete "city government" and insert "governing authority of the town"

#### AMENDMENT NO. 6

On page 6, line 21, after "commission" delete "should" and insert "shall"

#### AMENDMENT NO. 7

On page 7, between lines 14 and 15 insert the following:  
"(3) Medical staff appointees shall be registered to vote in and residents and domiciliaries of St. Tammany Parish."

#### AMENDMENT NO. 8

On page 7, line 21 delete "thirty" and insert "fifty"

#### AMENDMENT NO. 9

On page 15, line 1, delete "considering" and insert "taking into consideration"

#### AMENDMENT NO. 10

On page 15, line 5 delete "authorities" and insert "authority"

#### AMENDMENT NO. 11

On page 15, line 26 delete "continuing"

#### AMENDMENT NO. 12

On page 16, delete lines 16 through 26 and insert the following:

"(14)(a) With respect to St. Tammany Parish Hospital Service District No. 1 to employ legal counsel at a rate of compensation as it may determine to advise in all matters pertaining to the business of the district and to perform such other functions with respect to the legal affairs of the district as the commission may direct.

(b) With respect to St. Tammany Parish Hospital Service District No. 2, to contract, only until December 31, 2004, with the district attorney, pursuant to R.S. 16:2(A), to act as legal counsel for the district to advise on all legal matters pertaining to the business of the district and to perform such other functions with respect to the legal affairs of the district as the commission may direct. After December 31, 2004, St. Tammany Parish Hospital Service District No. 2 may employ legal counsel as determined by the board of commissioners. However, at any time after the effective date of the Act which originated as Senate Bill No. 1119 of the 2003 Regular Session of the Legislature, the board of commissioners of the St. Tammany Parish Hospital Service District No. 2 may, without consultation with the district attorney, consult outside counsel with

approval by a simple majority vote of the board. ~~Outside counsel may be employed to represent~~

#### AMENDMENT NO. 13

On page 17, between lines 21 and 22 insert the following:

"Section 8.1. Sale of ownership or control of hospital

#### Section 8.1 is all proposed new law.

Notwithstanding any other law to the contrary, the board of commissioners of St. Tammany Parish Hospital Service District No. 2 may sell to any person an ownership interest in the district hospital that results in the acquiring person holding a less than fifty percent interest in the ownership or control of the hospital. The provisions of R.S. 33:4341 shall not apply to any sale pursuant to the authority granted in this Section."

Senator Schedler moved to concur in the amendments proposed by the House.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Dardenne	Irons
Heitmeier	Tarver
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

#### **SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—**

BY SENATORS HINES, FIELDS, BAJOIE, HOLDEN, B. JONES, MOUNT, SCHEDLER, CAIN, HOLLIS, JOHNSON, THOMAS, ULLO, BOISSIERE, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, IRONS, LAMBERT, LENTINI, MARIONNEAUX, MCPHERSON, SMITH AND THEUNISSEN

#### AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Senior Rx Program; to provide definitions; to create the Louisiana Senior Rx Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 1132 by Senator Hines

### AMENDMENT NO. 1

On page 4, line 7, after "independent" and before "community" insert "and chain"

Senator Hines moved to concur in the amendments proposed by the House.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

### NAYS

Total—0

### ABSENT

Dean	Irons
Heitmeier	Tarver
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

## Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, Subject to Call, were taken up and acted upon as follows:

### Called from the Calendar

Senator Ullo asked that Senate Bill No. 684 be called from the Calendar at this time.

### SENATE BILL NO. 684— BY SENATOR ULLO

#### AN ACT

To enact R.S. 28:53.2(F), relative to civil immunity; to exempt a coroner, his support staff and law enforcement officers from civil liability for forceful entry to secure protective custody; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 684 by Senator Ullo

### AMENDMENT NO. 1

On page 1, line 13, after "coroner" and before "his" change the comma "," to "or" and after "staff" insert a comma "," and before "law" delete "or" and insert "accompanied by a"

### AMENDMENT NO. 2

On page 2, at the end of line 2, before the period "." insert the following: "after a mental health professional has intervened and attempted to counsel the person regarding his voluntary surrender"

### AMENDMENT NO. 3

On page 2, line 3, after "coroner" and before "his" change the comma "," to "or" and after "staff" insert a comma "," and before "law" delete "or" and insert "accompanied by a"

### AMENDMENT NO. 4

On page 2, line 10, after "for the" and before "wrongful" insert "serious bodily injury or"

### AMENDMENT NO. 5

On page 2, at the end of line 11, after "restraint" and before "transportation" change "and" to "or"

## HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Walker to Reengrossed Senate Bill No. 684 by Senator Ullo

### AMENDMENT NO. 1

On page 1, line 4, after the semicolon ";" and before "and" insert the following: "to provide for forcible entry to secure protective custody; to provide procedures for obtaining a court order allowing forcible entry;"

### AMENDMENT NO. 2

On page 1, line 14, after "may" and before "break" insert "apply to a court of competent jurisdiction for an order to"

### AMENDMENT NO. 3

On page 2, between lines 2 and 3, insert the following:

"(2) The application for a court order allowing forcible entry pursuant to Paragraph (1) of this Subsection shall be accompanied by a copy of the order for protective custody and an affidavit of the coroner or his support staff reciting facts establishing probable cause for forced entry. In exceptional circumstances, the facts supporting the order and the exceptional circumstances may be relayed orally, including telephonically, to the judge, and the order of the judge may be issued orally. In such cases, a copy of the order for protective custody and an affidavit containing the information relayed orally to the judge, including any telephonic communication, shall be provided to the judge within twenty four hours of taking the person into protective custody. Upon the timely presentation of the copy of the order for protective custody and the affidavit of the oral communications, the judge shall issue a written order acknowledging receipt of the required information and of his oral order allowing forcible entry."

### AMENDMENT NO. 4

On page 2, at the beginning of line 3, change "(2)" to "(3)"

### AMENDMENT NO. 5

On page 2, at the beginning of line 9, change "(3)" to "(4)"

Senator Ullo moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

**NAYS**

Fields  
Total—1

**ABSENT**

Cain	Irons	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Called from the Calendar**

Senator Ullo asked that Senate Bill No. 685 be called from the Calendar at this time.

**SENATE BILL NO. 685—**  
BY SENATOR ULLO**AN ACT**

To enact R.S. 33:1563(L), relative to civil immunity; to provide for civil immunity for coroner and supporting staff while in the performance of their duties; to require persons or entities alleging improper conduct to show by clear and convincing evidence and proof of conduct which is without rational basis; to provide standards for civil action; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 685 by Senator Ullo

**AMENDMENT NO. 1**

On page 1, delete lines 4 through 6 in their entirety and insert the following: "their duties; to provide for exceptions; to provide for legislative intent; and to"

**AMENDMENT NO. 2**

On page 1, delete lines 13 through 15 in their entirety and delete pages 2 and 3 in their entirety and insert the following:

"L.(1) Liability shall not be imposed on an elected coroner or his support staff based upon the exercise or performance or the failure to exercise or perform their policymaking or discretionary acts when such acts are within the course and scope of their lawful powers and duties.

(2) The provisions of Subsection B of this Section are not applicable to any of the following:

(a) To acts or omissions which are not reasonably related to the legitimate governmental objective for which the policymaking or discretionary power exists; or

(b) To acts or omissions which constitute criminal, fraudulent, malicious, intentional, willful, outrageous, reckless, or flagrant misconduct.

(3) The legislature finds and states that the purpose of this Section is not to reestablish any immunity based on the status of sovereignty but rather to clarify the substantive content and parameters of application of such legislatively created codal articles and laws and also to assist in the implementation of Article II of the Constitution of Louisiana.

Section 2. The immunity from liability provided by this Act shall apply only to liability for those acts occurring on or after August 15, 2003."

Senator Ullo moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Thomas
Dean	Lambert	Ullo
Dupre	Lentini	
Total—35		

**NAYS**

Fields  
Total—1

**ABSENT**

Heitmeier	Irons	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**House Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE BILL NO. 1325—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:124 and 181 and to enact R.S. 11:183 through 185, relative to administration and duties of retirement boards and committees, to provide for state and statewide retirement systems and the Public Retirement Systems' Actuarial

Committee; to provide for membership, administration, duties, and responsibilities; to provide for education; to provide for quorum requirements, meeting dates, and per diem; to provide for an effective date; and to provide for related matters.

### Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 1325 by Representative Schneider

##### AMENDMENT NO. 1

On page 1, line 3, after "185," insert "and 553(18); to provide"

##### AMENDMENT NO. 2

On page 1, line 8, after "diem;" insert "to provide with respect to eligible judges and court officers; to include the judicial administrator and his deputies for the Fourth Judicial District Court for the parishes of Morehouse and Ouachita;"

##### AMENDMENT NO. 3

On page 1, line 15, after "through 185" insert "and 553(18)"

##### AMENDMENT NO. 4

On page 8, between lines 5 and 6, insert the following:

"Section 1. R.S. 11:553(18) is hereby enacted to read as follows: §553. Eligible judges and court officers

This Subpart shall apply to all present and future judges and court officers hereinafter enumerated:

\* \* \*

(18) The judicial administrator of the Fourth Judicial District Court for the parishes of Morehouse and Ouachita and his deputy or deputies."

Senator C. Jones moved adoption of the amendments.

Senator Dean objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Dean  
Total—1

#### ABSENT

Irons  
Total—2

Tarver

The Chair declared the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

#### NAYS

Dean  
Total—1

#### ABSENT

Irons  
Total—2

Tarver

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1385—

BY REPRESENTATIVE GUILLORY  
AN ACT

To enact R.S. 33:2866.1, relative to property adjudicated to parishes and municipalities; to provide relative to the payment of commissions to licensed realtors who assist parishes and municipalities in selling property adjudicated to them for nonpayment of taxes; to provide with respect to guidelines; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Total—35		

#### NAYS

Total—0

#### ABSENT



Heitmeier  
Irons  
Total—4

Marionneaux  
Tarver

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1395—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact Civil Code Article 113, relative to interim spousal support; to provide for the termination of support; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President  
Adley  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—36

Fields  
Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Johnson  
Jones, B  
Jones, CD  
Lambert  
Lentini  
Malone  
Marionneaux  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

**NAYS**

Total—0

**ABSENT**

Chaisson  
Total—3  
Irons  
Tarver

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1426—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:449(C), 788(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President  
Total—3  
Irons  
Tarver

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1427—**

BY REPRESENTATIVES POWELL, BAUDOIN, BRUCE, DEVILLIER, DOWNS, FRITH, FRUGE, HUDSON, ILES, KENNEY, MORRISH, JACK SMITH, AND STRAIN

**AN ACT**

To amend and reenact Part II-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:471 through 478 and R.S. 36:629(E)(6), relative to strawberries; to provide for the membership, powers, and duties of the Strawberry Marketing Board; to provide for assessments on the sale of strawberries; to provide for powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1427 by Representative Powell

**AMENDMENT NO. 1**

Delete Senate Committee Amendment Nos. 5, 12, and 43 through 46 proposed by the Senate Committee on Agriculture, Forestry, Aquaculture, and Rural Development and adopted by the Senate on June 11, 2003.

**AMENDMENT NO. 2**

On page 4, line 16, change "twelve" to "thirteen" and on line 17, change "commissioner" to "governor, which membership shall be composed of residents from the parishes of Ascension, Livingston, St. Tammany, or Tangipahoa."

**AMENDMENT NO. 3**

On page 5, between lines 4 and 5, insert the following:

"(g) One member shall be a person with a financial interest in the strawberry industry."

(2) Upon a vacancy on the board, the governor shall be notified immediately by the board by registered mail. If the governor fails to make an appointment to the board within one hundred and twenty days following the date of notification of any vacancy on the board, then the commissioner of agriculture shall make the appointment. Any appointment shall be subject to confirmation by the Senate."

## AMENDMENT NO. 4

On page 6, delete lines 9 through 12, and on line 13, delete "year" and insert in lieu thereof the following: "The chairman of the Ponchatoula Strawberry Festival, or his alternate, shall serve a term of one year. The remaining members of the board shall be appointed by the governor, subject to Senate confirmation, to serve six-year staggered terms. Four members shall be appointed to serve an initial term of two years, four members shall be appointed to serve an initial term of four years, and four members shall be appointed to serve an initial term of six years; thereafter the term of each member appointed by the governor shall be six years."

## AMENDMENT NO. 5

On page 14, delete lines 24 through 26 and on page 15, delete lines 1 through 7 and insert in lieu thereof the following:

"A. Any handler, dealer, or shipper of strawberries who wilfully evades the payment of the ~~tax~~ assessment provided for in R.S. 3:475, or who violates any other provision of this Part, shall be fined not more than five hundred dollars. If any shipper fails to pay any ~~tax~~ assessment due under the provisions of this Part within thirty days after the ~~tax~~ assessment payment is due, he shall be liable to a penalty of twenty percent thereof, and the attorney general shall enforce payment of the ~~tax~~ assessment and penalty by civil action against the shipper for the amount of the ~~tax~~ assessment and penalty."

Senator Hainkel moved adoption of the amendments.

Senator Dean objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Marionneaux
Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Romero
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Chaisson	Hoyt	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Malone	
Total—34		

### NAYS

Dean  
Total—1

### ABSENT

Irons	Lentini
Jones, B	Tarver
Total—4	

The Chair declared the amendments were adopted.

The bill was read by title. Senator Hainkel moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—35		

### NAYS

Dean  
Total—1

### ABSENT

Irons	Jones, B	Tarver
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1459—

BY REPRESENTATIVES THOMPSON, KATZ, AND McDONALD

### AN ACT

To enact R.S. 40:573(12), relative to Housing Cooperation Law; to provide with respect to housing developments and redevelopment projects; to provide for public hearings; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

### NAYS

Total—0

### ABSENT

Irons	Tarver
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1463—**

BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii)(cc), relative to qualified truck stops for the operation of video draw poker devices; to provide for the number of hours per day the restaurant at a qualified truck stop must be open; and to provide for related matters.

The bill was read by title. Senator Hines moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Mount
Cain	Hollis	Schedler
Chaisson	Hoyt	Theunissen
Cravins	Johnson	Thomas
Dean	Jones, CD	Ullo
Dupre	Lentini	
Total—26		

**NAYS**

Barham	Fields	Smith
Dardenne	Michot	
Ellington	Romero	
Total—7		

**ABSENT**

Mr. President	Irons	Lambert
Gautreaux	Jones, B	Tarver
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Personal Privilege**

Senator B. Jones asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 1463. He had intended to vote nay on the bill. He asked that the Official Journal so state.

**HOUSE BILL NO. 1487—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 40:1622, relative to fire protection and prevention; to provide for criminal and civil liability for violations; to provide for a rebuttable presumption; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Mr. President	Irons	Tarver
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1488—**

BY REPRESENTATIVE FARRAR  
AN ACT

To amend and reenact R.S. 33:3817(B), relative to waterworks districts; to authorize the board of commissioners of such districts to employ a president and to fix his salary; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lambert
Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Irons	Marionneaux	Tarver
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1564—

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 46:236.5(C), relative to hearing officers; to provide for the use of hearing officers in expedited proceedings relative to domestic matters; to expand the authority of hearing officers; to provide for the entering of default judgments; to provide for the granting of uncontested matters; to authorize the referral for mediation, evaluations, and drug tests; to provide for contempt of court; to provide a process for objecting to a hearing officer's recommendations; to provide for final judgments; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

#### NAYS

Total—0

#### ABSENT

Heitmeier	Lambert	McPherson
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1565—

BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 33:461(A)(1), relative to the assessment and collection of municipal taxes; to provide that the city of Lake Charles may prorate municipal ad valorem taxes on property annexed into the city; to provide a basis upon which the taxes shall be prorated; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Malone
Bajoie	Fontenot	McPherson

Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—34

Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Johnson
Jones, CD
Lambert
Lentini

#### NAYS

Total—0

#### ABSENT

Mr. President
Irons
Total—5

Jones, B
Marionneaux

Tarver
--------

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1617—

BY REPRESENTATIVE DEVILLIER  
AN ACT

To amend and reenact Civil Code Article 1833, relative to signatures on authentic acts; to require legible hand printed or typed names; to provide for defect of form; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

### Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of allowing the Committee on Senate and Governmental Affairs to have a meeting on confirmations without the required 24 hour notice.

### HOUSE BILL NO. 1626—

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:723.1(B), relative to the Teachers' Retirement System of Louisiana; to provide for actuarial purchase of service credit for certain service performed under contract; to provide relative to the time period during which such purchase may be made and procedures therefor; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas

June 20, 2003

Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Irons	Tarver
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1641—**

BY REPRESENTATIVE DEVILLIER

AN ACT

To amend and reenact Code of Criminal Procedure Articles 262, 271(A), and 272, and to enact Code of Criminal Procedure Article 262.1 and 281, relative to extradition; to provide with respect to the authority of the governor in extradition cases; to provide with respect to admitting a person to bail in extradition cases; to provide with respect to the surrender of a person against whom a criminal prosecution is pending in this state; to provide authority to charge an extradited person with crimes other than the crime for which he was extradited; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Irons	Tarver
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1684—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:301 through 309, relative to state and statewide retirement systems; to reestablish the Commission on Public Retirement; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Irons	Marionneaux	Tarver
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1720—**

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 33:4045.1, relative to sewerage assessments in the city of Lake Charles; to provide relative to the payment and collection of such assessments; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Dupre	Irons	Tarver
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Mr. President in the Chair****HOUSE BILL NO. 1724—**

BY REPRESENTATIVE POWELL

**AN ACT**

To amend and reenact R.S. 15:572.2, relative to compensation of members of the Board of Pardons; increases the salaries of the chairman and the members of the Board of Pardons; provides for a separate salary and increased salary for the vice chairman; and to provide for related matters.

On motion of Senator Lentini, the bill was read by title and returned to the Calendar, subject to call.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Petitions, Memorials and Communications**

The following petitions, memorials and communications were received and read:

**SENATE  
STATE OF LOUISIANA**

June 20, 2003

The Honorable John J. Hainkel, Jr.  
President  
Louisiana State Senate  
P. O. Box 94183, Capitol Station  
Baton Rouge, LA 70804

Dear Senator Hainkel:

I want to thank you and my fellow senators for the privilege and honor of serving with you in the Senate for the last nine years. I also want to thank the members for electing me as President Pro Tempore for the past four years.

As you may know, Governor Mike Foster recently offered to me the opportunity to serve as a member of the LSU Board of Supervisors, and I have accepted this position. Unfortunately, state law prohibits me from serving as an LSU Board Member and as a Senator.

Therefore, I am tendering my resignation as State Senator of District # 18 effective 12:30 P.M., June 20, 2003.

In doing so, I must take leave of my friends who I shall remember with fondness and the highest of respect. Leaving the Senate is one of the most difficult decisions that I have ever had to make. I feel that this new challenge as an LSU Board member is also a great opportunity to contribute to higher education. My main goal with the LSU System will be to focus on academics. I will do my part to make LSU one of the greatest educational institutions of higher learning in our country, and I know you will continue in your leadership role, coupled with the efforts of the Senate to make a difference in the lives of the people in our state.

In closing, once again, thanks so much for your wonderful support and friendship.

God Bless You,  
LOUIS J. LAMBERT  
President Pro Tempore  
Louisiana State Senate

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

**STATE OF LOUISIANA  
OFFICE OF THE GOVERNOR**

June 20, 2003

The Honorable President and Members of the Senate

Ladies and Gentlemen:

I have appointed The Honorable Louis J. Lambert to serve on the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to represent the 6th Congressional District.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present his name for your review.

Sincerely,  
M.J. "MIKE" FOSTER, JR.  
Governor

**Senator Ellington in the Chair****Recess**

On motion of Senator B. Jones, the Senate took a recess until 1:30 o'clock P.M.

**After Recess**

The Senate was called to order at 1:30 o'clock P.M. by the President of the Senate.

**ROLL CALL**

The roll was called with the following result:

**PRESENT**

Mr. President	Fields	Malone
Adley	Fontenot	Marionneau
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

**ABSENT**

Lambert  
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

**Senate Business Resumed****Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### **Appointment of Conference Committee on Senate Bill No. 637**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 637: Senators Heitmeier, Chaisson and Lentini.

### **Appointment of Conference Committee on Senate Bill No. 76**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 76: Senators Ellington, Bajoie, and Smith.

### **Appointment of Conference Committee on Senate Bill No. 77**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 77: Senators Mount, Lentini and Schedler.

### **Appointment of Conference Committee on Senate Bill No. 705**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 705: Senators Schedler, Ullo and Lentini.

### **Appointment of Conference Committee on Senate Bill No. 111**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 111: Senators Ullo, Romero and Schedler.

### **Appointment of Conference Committee on Senate Bill No. 949**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 949: Senators Schedler, Ellington and Hainkel.

### **Appointment of Conference Committee on Senate Bill No. 663**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 663: Senators Heitmeier, Hollis and Smith.

### **Introduction of Resolutions, Senate and Concurrent**

Senator Adley asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

#### **SENATE RESOLUTION NO. 102—**

BY SENATOR HAINKEL

#### **A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Mary Margaret Lang Day Wolbrette.

On motion of Senator Hainkel, the resolution was read by title and adopted.

#### **SENATE RESOLUTION NO. 103—**

BY SENATOR CAIN

#### **A RESOLUTION**

To urge and request the Department of Health and Hospitals, office of public health, to study the impact of West Nile virus on survivors of the illness.

On motion of Senator Cain, the resolution was read by title and adopted.

#### **SENATE RESOLUTION NO. 104—**

BY SENATORS MOUNT, HAINKEL, LENTINI, AND SCHEDLER

#### **A RESOLUTION**

To urge and request the President of the Senate to establish a committee and appoint the membership thereof to study, review, and make recommendations to revise the Senate Rules of Order.

On motion of Senator Mount, the resolution was read by title and adopted.

#### **SENATE RESOLUTION NO. 105—**

BY SENATOR HAINKEL

#### **A RESOLUTION**

To acknowledge and honor the political career of Louis J. Lambert, Jr. as he retires from his service in the Louisiana Senate and to extend to him best wishes for continued success as he undertakes a new career in public service as a member of the Board of Supervisors of Louisiana State University.

#### **SENATE CONCURRENT RESOLUTION NO. 149—**

BY SENATORS HINES, BAJOE, BOISSIERE, IRONS, AND TARVER

#### **A CONCURRENT RESOLUTION**

To urge and request the United States Department of Agriculture (USDA) to include Louisiana in the USDA Farm-to-School Program.

The resolution was read by title; lies over under the rules.

#### **SENATE CONCURRENT RESOLUTION NO. 150—**

BY SENATOR MICHOT

#### **A CONCURRENT RESOLUTION**

To establish the Region IV Healthcare Planning Council to develop an integrated plan of medical care for the indigent in Region IV.

The resolution was read by title. Senator Michot moved to adopt the Senate Concurrent Resolution.

### **ROLL CALL**

The roll was called with the following result:

#### **YEAS**

Adley	Heitmeier	Romero
Barham	Hollis	Smith
Cain	Hoyt	Tarver
Chaisson	Jones, CD	Theunissen
Dean	Lentini	Thomas
Dupre	Malone	Ullo
Ellington	Michot	
Gautreaux	Mount	
Total—22		

## NAYS

Total—0

## ABSENT

Mr. President	Fields	Jones, B
Bajoie	Fontenot	Lambert
Bean	Hines	Marionneaux
Boissiere	Holden	McPherson
Cravins	Irons	Schedler
Dardenne	Johnson	
Total—17		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

## Messages from the House

The following Messages from the House were received and read as follows:

## Message from the House

## ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 20, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

## HOUSE CONCURRENT RESOLUTION NO. 266— BY REPRESENTATIVE DEWITT

### A CONCURRENT RESOLUTION

To recognize the Saturday after Mother's Day, annually, as Kids Kicking Cancer Day.

## HOUSE CONCURRENT RESOLUTION NO. 267— BY REPRESENTATIVE FAUCHEUX

### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise the formula for the minimum foundation program of education to include measures of resident income and equitable measures of property valuation in determining the local wealth factor of public school systems.

## HOUSE CONCURRENT RESOLUTION NO. 268— BY REPRESENTATIVE MURRAY

### A CONCURRENT RESOLUTION

To request the House and Senate Committees on Labor and Industrial Relations to meet and function as a joint committee to study the hiring and procurement practices of the gaming industry and submit a report of its findings to the Legislature of Louisiana on or before thirty days prior to the 2004 Regular Session.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

## House Concurrent Resolutions

Senator Adley asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

## HOUSE CONCURRENT RESOLUTION NO. 266— BY REPRESENTATIVE DEWITT

### A CONCURRENT RESOLUTION

To recognize the Saturday after Mother's Day, annually, as Kids Kicking Cancer Day.

The resolution was read by title. Senator McPherson moved to concur in the House Concurrent Resolution.

## ROLL CALL

The roll was called with the following result:

## YEAS

Adley	Heitmeier	Mount
Barham	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Jones, CD	Tarver
Dardenne	Lentini	Theunissen
Dean	Malone	Thomas
Dupre	McPherson	Ullo
Ellington	Michot	
Total—23		

## NAYS

Total—0

## ABSENT

Mr. President	Fontenot	Jones, B
Bajoie	Gautreaux	Lambert
Bean	Hines	Marionneaux
Boissiere	Holden	Schedler
Cravins	Irons	
Fields	Johnson	
Total—16		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

## HOUSE CONCURRENT RESOLUTION NO. 267— BY REPRESENTATIVE FAUCHEUX

### A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to revise the formula for the minimum foundation program of education to include measures of resident income and equitable measures of property valuation in determining the local wealth factor of public school systems.

On motion of Senator Adley, the resolution was read by title and referred to the Committee on Education.

## HOUSE CONCURRENT RESOLUTION NO. 268— BY REPRESENTATIVE MURRAY

### A CONCURRENT RESOLUTION

To request the House and Senate Committees on Labor and Industrial Relations to meet and function as a joint committee to study the hiring and procurement practices of the gaming industry and submit a report of its findings to the Legislature of Louisiana on or before thirty days prior to the 2004 Regular Session.

On motion of Senator Adley, the resolution was read by title and referred to the Committee on Labor and Industrial Relations.

## Reports of Committees

The following reports of committees were received and read:

## REPORT OF COMMITTEE ON

## FINANCE



Senator Dardenne, Chairman on behalf of the Committee on Finance, submitted the following report:

June 19, 2003

To the President and Members of the Senate:

I am directed by your Committee on Finance to submit the following report:

**SENATE CONCURRENT RESOLUTION NO. 114—**

BY SENATOR MOUNT

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to continue funding of AmeriCorps programs in Louisiana.

Reported favorably.

**HOUSE BILL NO. 61—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Wayne B. Posey v. Department of Transportation and Development for the State of Louisiana, and Aluminum Company of America, Inc."; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 62—**

BY REPRESENTATIVE GALLOT  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Paula Jo Odom v. State of Louisiana, through the Louisiana Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 73—**

BY REPRESENTATIVE BRUCE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Thomas Adams, et ux v. The State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 74—**

BY REPRESENTATIVE ROMERO  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Dora Salazar, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Ralph Buras v. Darryl M. Schultz, Judges of Orleans Parish Criminal District Court and the State

of Louisiana"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES STRAIN, NEVERS, POWELL, SCHWEGMANN, SHAW, FLAVIN, GUILLORY, JOHNS, LANCASTER, JOHN SMITH, WADDELL, WALKER, WINSTON, AND WOOTON AND SENATORS DUPRE, GAUTREAUX, ADLEY, CAIN, ROMERO, AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of certain revenues; to make certain technical corrections; to establish the Equine Health Studies Program Fund in the state treasury; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Equine Health Studies Program Fund; to provide for the use of the monies in such fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE ERDEY  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit entitled "Mary E. Shackelford, et al v. Cheryl A. Harris, et al c/w Cheryl A. Harris v. State of Louisiana, Department of Transportation and Development"; to provide for interest and court costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 202—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in favor of J. Caldarera & Co., Inc. in the suit entitled "Sizeler Architects, et al v. State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 237—**

BY REPRESENTATIVE CROWE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gladys Breland and Kenneth Breland v. David A. McKenzie, Aleman's Auto Sales, Inc., Herbert McKenzie Auto Sales, Canal Indemnity Insurance Company, First Oak Brook Syndicate, and Louisiana Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 274—**

BY REPRESENTATIVE WALKER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgments rendered in "Mary A. Brouillette v. Gilchrist Construction Company and the state of Louisiana through the Department of Transportation and Development" c/w Billy Hendrix, et al v. Gilchrist Construction

Company, et al; to pay the consent judgments in "Janice Marie Miller, et ux and Amanda Heather Belgard, et ux v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 275—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Sizeler Architects, A Professional Corporation, and J. Caldarera Company, Inc. v. The State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 289—**

BY REPRESENTATIVE TUCKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Cassandra Fontenette v. State of Louisiana through the Department of Transportation and Development and ABC Insurance Company"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 305—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

Reported favorably.

**HOUSE BILL NO. 371—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Rhonda Johnson, on behalf of her minor daughter, Renata Johnson v. Melvin Dumas, Sr., his employer, St. James Catholic Church, and their liability insurance company, Virginia Surety Company, Randy Folse, and the Louisiana Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 643—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Nellie L. Smith, Mother of Tron E. Smith, Deceased v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 798—**

BY REPRESENTATIVE PERKINS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Linda Berthelot v. Linda F. Jones, and State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 831—**

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Christine Vallien, Individually, on behalf of the estate of her husband, Leonard C. Vallien, and on behalf of her minor children, Joy Renee Vallien, Tiffany Rochelle Vallien, and Leonard C. Vallien, Jr. v. State of Louisiana through the Department of Transportation and Development"; to pay the consent judgment in "Kim Fitch, et al. v. Eddie Lewis, et al."; and to pay the consent judgment in "Kim Sonnier, et ux. v. Allstate Insurance Co., et al." to provide for interest; to provide for court costs; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 838—**

BY REPRESENTATIVE QUEZAIRE

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Virgil Joffrion, Sr. v. The State of Louisiana, through the Department of Transportation and Development, consolidated with Joan Grissafe v. The State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 843—**

BY REPRESENTATIVE FARRAR

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments against the state in the suits entitled "Ann Hickman, Douglas L. Hickman, and Emily Hickman v. State of Louisiana, through the Department of Transportation and Development"; "Terry L. Westbrook, et al. v. State of Louisiana, Department of Transportation and Development"; "Vickie Gayle Evans v. State of Louisiana, Department of Transportation and Development, et al."; "Bobby Allison v. Highlands Insurance Company, et al."; "Billy Hendrix, et al. v. Gilchrist Construction Company, et al."; "Joseph Wiltz v. City of Alexandria Public Works Division and Charlisle Contracting"; and "Melvin Smith and Lenora Smith v. State of Louisiana Department of Transportation and Development, et al."; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 863—**

BY REPRESENTATIVE DURAND

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Alison Bond and Dennis W. Bond v. Blake E. Ewen, Kelley P. Ewen, State of Louisiana through the Department of Transportation and Development,

City of Baton Rouge/Parish of East Baton Rouge, Boston Old Colony Insurance Co., and ABC Insurance Company"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 881—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Louis Merhige v. Board of Commissioners for the East Jefferson Levee District, C. "Bud" Taulli Construction Company, Inc., Manual Anaya, The Transportation Insurance Company, Parish of Jefferson, and the Department of Transportation and Development, State of Louisiana"; to pay the judgment in "Yvonne Updegraff v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 882—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis Bravo, individually, and for and on behalf of the community of acquets and gains, and Betty Bravo v. Parish of Jefferson, Board of Commissioners for the East Jefferson Levee District, C."Bud" Taulli Construction Company, Inc., Manual Anaya, and the XYZ Insurance Company"; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 891—**

BY REPRESENTATIVE GALLOT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Regan Taylor, et al v. Rhett B. Price, et al"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 902—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "David P. Lanasa, Clare P. Lanasa, for/on behalf of the Estate of Debra Ann Lanasa, and her minor child, Tommy Jonathan Lanasa v. Michele A. Harrison, Allstate Insurance Company, and the State of Louisiana through the Department of Transportation and Development, c/w Michele A. Harrison v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 934—**

BY REPRESENTATIVE BROOME

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Latasha Butler, Individually and as Administratrix of the Estate of Her Minor Children, Tamara Butler and Lexie Butler v. State of Louisiana,

through the Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 938—**

BY REPRESENTATIVE GARY SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to the Department of Education, State Activities, for payment or reimbursement for payment of legal expenses of James P. Dukes; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 984—**

BY REPRESENTATIVE SALTER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Lashondria Howard, et al. v. State of Louisiana, et al. consolidated with Julia Faye Hamilton Guice, et al. v. Zurich American Insurance Company, et al., Lyndon Property Insurance Co., et al. v. Union Parish Police Jury, et al., consolidated with Darrell Foster, et al. v. State of Louisiana, et al."; to provide for court costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1075—**

BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY

AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1095—**

BY REPRESENTATIVE WRIGHT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis D. Cockerham, Sr. v. State of Louisiana, Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1139—**

BY REPRESENTATIVE ERDEY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "James E. Leonard, et al. v. State of Louisiana through the Dept. of Transportation and Development"; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1176—**

BY REPRESENTATIVE DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Troy A. Rousse, et al. v. State of Louisiana, through the

Department of Transportation and Development, et al."; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1239—**

BY REPRESENTATIVE FRITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gwendolyn Derouen, Brad Lee Derouen, Wendy Lynn Guidry and Kurt Lee Derouen v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1247—**

BY REPRESENTATIVE MURRAY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Thelonious Dukes v. The State of Louisiana Department of Transportation and Development"; "Virginia Serpas v. the State of Louisiana, through the Department of Transportation and Development"; and "Anna Landry v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1248—**

BY REPRESENTATIVES HUTTER AND ODINET

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Evelyn Deffes v. State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1249—**

BY REPRESENTATIVE ROMERO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Julaine C. LeBlanc, et al. v. State Farm Insurance Company, et al."; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1261—**

BY REPRESENTATIVE DANIEL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in "Kasey J. Kidder v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Louisiana United Businesses Self Insured Fund v. the State of Louisiana, Department of Transportation consolidated with David L. Blount v. the State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Patrick Outlaw v. State of Louisiana, through the Department of Transportation and Development, et al"; to pay the consent judgments in "Don Gross, individually and as natural tutor of his minor children, Don Terrell Spears and Adarian Dante Spears, and Mitchell Dominic v. State of Louisiana, through the Department of

Transportation and Development"; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1285—**

BY REPRESENTATIVE DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the amended judgment in the claim against the state entitled "National Beverage Company v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1286—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain requirements related to consulting contract procurements; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1290—**

BY REPRESENTATIVE TOWNSEND

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the judgments in the suits entitled "Jonelle Clark v. Julie B. Roy, Allstate Insurance Company and State of Louisiana through the Department of Transportation and Development"; "Joe Farley, Jr., Mary Ann Farley Brooks, Rosetta Farley Fontenot, Elma Farley Alexander, Matthew Farley, Mose Farley, Henry E. Farley, Brenda Farley, Ollie Mae Farley Bell, and Robert L. Farley v. State of Louisiana, Department of Transportation and Development, et al."; "Lisa M. John v. Rodney G. Freeman, Financial Indemnity Insurance, Valerie J. Hill, Progressive Security Insurance Co., and State of Louisiana, through the Department of Transportation and Development"; "Rosemount, Inc. v. Secretary, Department of Revenue, State of Louisiana"; "Automatic Switch Company v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana"; "Herman H. Boyett et ux v. State of Louisiana, Etc."; "Joseph Roy Lyons, husband of/and Myra Leger Lyons, individually and on behalf of his minor children, Joseph Roy Lyons, Jr. and Andrew Robert Lyons v. State of Louisiana, through the Department of Transportation and Development, Daimler/Chrysler Corporation, Southside Chrysler Corporation, d/b/a North Loop Dodge"; and "Brenda Whirl v. State of Louisiana, through the Department of Transportation and Development, et al"; to provide for interest; to provide for costs; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1304—**

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1314—**

BY REPRESENTATIVE DEVILLIER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay certain judgments against the state; to pay the consent judgment in the suit entitled "McKinley Thompson v. State of Louisiana through the Department of Transportation and Development and East Feliciana Parish Sheriff's Office"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1317—**

BY REPRESENTATIVE BROOME  
AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1335—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Keith E. Ridgel and Tara Ridgel v. Emile G. Hardin, ABC Insurance Company, Illinois Central Railroad Company d/b/a Canadian National/Illinois Central Railroad, DEF Insurance Company, and the State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1369—**

BY REPRESENTATIVE M. JACKSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Nakisha Rogers v. Kenyatta Thomas, Allstate Insurance Company and the State of Louisiana through the Department of Transportation and Development"; "Kenyatta Thomas v. the State of Louisiana, through the Department of Transportation and Development"; and "Wiley Boyett, Elaine Boyett Rachal, Roger Van Boyett and Debra Boyett Allen v. Kemper Insurance Group, et al."; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1461—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Levar Green, et al. v. Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "John Kolwe and Sheila Kolwe v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in "Mathilda Curry v. Mutual Services Casualty Insurance Co., Hung Vu, and Department of Transportation and Development, State of Louisiana"; to provide for interest; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Carl Walther, et al. v. Department of Labor and Department of State Civil Service"; to pay the consent judgment in the suit entitled "Justin Phillips, et al. v. Elwood Matherne, Jr., et al."; to pay the consent judgment in the suit entitled "Gramercy Insurance Company v. Louisiana Department of Economic Development, Louisiana Small Business Bonding Assistance Program and Hibernia National Bank"; to pay certain judgments of the Board of Tax Appeals in the claims of "Newpark Environmental Services, Inc. v. State of Louisiana"; to provide for interest; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1518—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state for fees and costs associated with legal representation of certain juveniles; to provide for interest; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1622—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Derrick Shane Miller v. State of Louisiana through the Department of Transportation and Development and Prairie Construction Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1651—**

BY REPRESENTATIVE LANDRIEU AND SENATOR JOHNSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the final judgment in the suit entitled "Darlene Rogers and Carol Barnes v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in the suit entitled "William W. Rosen v. State of Louisiana through the Department of Transportation and Development, ABC Construction Company, and ABC Insurance

Company"; to pay the consent judgment in the suit entitled "Michael Perry v. the State of Louisiana, through the Department of Transportation and Development and Parish of St. Bernard," to pay the consent judgment in the suit entitled "William Serigne v. State of Louisiana, through the Department of Transportation and Development, et al.," to pay the consent judgment in the suit entitled "Jerry L. Fox v. Alton B. Honeycutt, et al.," to pay the consent judgment in "Tina Marie Hebert v. Robert Metzler, Barriere Construction Co., Inc., St. Paul Fire & Marine Insurance Company and Atlanta Casualty Companies"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1654—**

BY REPRESENTATIVE LAFLEUR

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the consent judgments in the suits entitled "Kerry Kathryn Gordon Benoit and Breanna Hope Benoit v. The Hartford Casualty Insurance, et al."; "Betty Frady Huddleston v. State of Louisiana, Department of Transportation and Development; "Dorothy Calico and Kelly Calico v. Angelo Iafate, Louisiana Department of Transportation and Development, ABC Contracting Company, DEF Insurance Company and XYZ Insurance Company; "Dale Rice, individually and on behalf of Jonathan T. Rice v. Zulema VA. Miller, Johnny C. Miller, the Parish of East Feliciana, the State of Louisiana through the Department of Transportation and Development, Transcontinental Pipeline Gas Company and XYZ Insurance Company"; "Linda Rainey, as the tutor of Kody Michel v. State of Louisiana, Department of Transportation and Development and Department of Public Works; the Parish of St. Tammany; Town of Abita Springs; Wal-Mart, Inc., and XYZ Engineering Company"; and "Pique-Weinstein-Pique-Architects, Inc. v. Louisiana Stadium and Exposition District"; to provide for interest; to provide for court costs; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1673—**

BY REPRESENTATIVE LAFLEUR

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Natalie Ortego v. Crowell Lumber Company and St. Paul Fire and Marine Insurance Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1742—**

BY REPRESENTATIVE HUTTER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Walter Diggs, Jr., husband of/and Mary Diggs v. Louisiana Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1781—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND

AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and

other courts; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1792—**

BY REPRESENTATIVE HUDSON

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain consent judgments against the state; to pay the consent judgment in the suit entitled "Joseph Powell v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Nelda Powell v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1858—**

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH

AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1873—**

BY REPRESENTATIVE JOHN SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Albert J. Rohlf's and Helen M. Rohlf's v. Great West Casualty Co., et al" and "James Luther, et ux. v. Janie Audra Mason, et al."; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1875—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO

AN ACT

To appropriate the sum of Fifty-two Million Nine Hundred Forty Thousand One Hundred Twenty-Nine and No/100 (\$52,940,129.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Eight Million Nine Hundred Thirteen Thousand Nine Hundred Eighty-eight and No/100 (\$8,913,988.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported favorably.

**HOUSE BILL NO. 1918—**

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for use of certain monies in the fund; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1919—**

BY REPRESENTATIVE SCHWEGMANN  
AN ACT

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of members' necessary travel expenses; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1953—**

BY REPRESENTATIVE ARNOLD  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Leora Gernados, et al v. Toby E. Vallian and the Department of Transportation and Development" and "Terri C. Gernados v. Toby E. Vallian, et al."; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1983—**

BY REPRESENTATIVE MCDONALD  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgment in the suit entitled "Stuart Hughes Smith, et ux. v. State of Louisiana, Department of Transportation and Development et al"; to pay the judgment in the suit entitled "Marcus Ray Bennett v. Ford Motor Company and State of Louisiana, Department of Transportation and Development"; to pay the judgment in the suit entitled "The Estate of Gabriel Taylor Murray, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**House Bills and Joint Resolutions  
on Second Reading  
Reported by Committees**

Senator Dardenne asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

**HOUSE BILL NO. 61—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Wayne B. Posey v. Department of Transportation and Development for the State of Louisiana, and Aluminum Company of America, Inc."; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 62—**

BY REPRESENTATIVE GALLOT  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Paula Jo Odom v. State of Louisiana, through the Louisiana Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 73—**

BY REPRESENTATIVE BRUCE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Thomas Adams, et ux v. The State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 74—**

BY REPRESENTATIVE ROMERO  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Dora Salazar, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Ralph Buras v. Darryl M. Schultz, Judges of Orleans Parish Criminal District Court and the State of Louisiana"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 79 by Representative Bruneau

**AMENDMENT NO. 1**

On page 1, line 6, after "costs;" and before "and to" insert "to provide for attorneys fees;"

**AMENDMENT NO. 2**

On page 1, delete lines 8 and 9 in their entirety and insert the following:

"Section 1. The sum of Thirty-six Thousand Five Hundred Seventeen and 50/100 (\$36,517.50) Dollars, plus interest from April 4, 1997, until paid,"

**AMENDMENT NO. 3**

On page 1, line 11, after "Dollars" after the comma "," insert the following: "plus attorneys fees in the amount of thirty-five percent (35%) as provided in the judgment,"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES STRAIN, NEVERS, POWELL, SCHWEGMANN, SHAW, FLAVIN, GUILLORY, JOHNS, LANCASTER, JOHN SMITH, WADDELL, WALKER, WINSTON, AND WOOTON AND SENATORS DUPRE, GAUTREAUX, ADLEY, CAIN, ROMERO, AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of certain revenues; to make certain technical corrections; to establish the Equine Health Studies Program Fund in the state treasury; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Equine Health Studies Program Fund; to provide for the use of the monies in such fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 88 by Representative Strain

**AMENDMENT NO. 1**

On page 6, delete lines 19 through 26 and on page 7, delete lines 1 through 6 and insert the following:

"(6) After complying with the provisions of Paragraphs (1) through (5) of this Subsection and contingent upon the Revenue Estimating Conference's recognition of revenues from the Bossier Parish horse racing facility in the Fiscal Year 2003-2004 official forecast and in each fiscal year thereafter, the state treasurer shall deposit in and credit the following amounts to the following special funds, which amounts shall be reduced on a pro rata basis if insufficient funds are available to fully fund each item:

(a) One million five hundred thousand dollars each fiscal year shall be deposited in and credited to the Equine Health Studies Program Fund, which is hereby established in the state treasury. Monies in the fund shall be withdrawn from the treasury only by appropriations made in accordance with this Subsection. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Monies in the fund shall be appropriated and expended solely and exclusively to support the Equine Health Studies Program at the Louisiana State University School of Veterinary Medicine.

(b) Two million dollars each fiscal year shall be deposited in and credited to the fund previously established by R.S. 3:277. These proceeds shall be expended, utilizing any or all powers granted to the Louisiana Agricultural Finance Authority, including the funding or securing of revenue bonds, exclusively for building, furnishing, equipping and maintaining a building and related space on the Baton Rouge campus of the Louisiana State University and Agricultural and Mechanical College to be used as the Louisiana Veterinary Medical Diagnostic Laboratory within the School of Veterinary Medicine and for analytical and diagnosis laboratories.

(c) One million dollars each fiscal year shall be deposited in and credited to the Southern University AgCenter Program Fund, which is hereby established in the state treasury. Monies in the fund shall be withdrawn from the treasury only by appropriations made in

accordance with this Subsection. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Monies in the fund shall be appropriated and expended solely and exclusively to support the Southern University AgCenter programs.

(d) Five hundred thousand dollars each fiscal year shall be deposited in and credited to the University of Louisiana, Monroe School of Pharmacy Program Fund, which is hereby established in the state treasury. Monies in the fund shall be withdrawn from the treasury only by appropriations made in accordance with this Subsection. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Monies in the fund shall be appropriated and expended solely and exclusively to support the pharmacy studies programs at the University of Louisiana School of Pharmacy.

(e) One million dollars each fiscal year shall be deposited in and credited to the Department of Education Low Performing Schools Fund, which is hereby established in the state treasury. Monies in the fund shall be withdrawn from the treasury only by appropriations made in accordance with this Subsection. Monies in the fund shall be invested in the same manner as monies in the state general fund. Interest earned on investment of monies in the fund shall be credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. Monies in the fund shall be appropriated and expended solely and exclusively to provide funding for those public schools performing at the lowest level in the accountability program."

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE ERDEY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit entitled "Mary E. Shackelford, et al v. Cheryl A. Harris, et al c/w Cheryl A. Harris v. State of Louisiana, Department of Transportation and Development"; to provide for interest and court costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 202—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in favor of J. Calderara & Co., Inc. in the suit entitled "Sizeler Architects, et al v. State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.



**HOUSE BILL NO. 237—**

BY REPRESENTATIVE CROWE

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gladys Breland and Kenneth Breland v. David A. McKenzie, Aleman's Auto Sales, Inc., Herbert McKenzie Auto Sales, Canal Indemnity Insurance Company, First Oak Brook Syndicate, and Louisiana Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 274—**

BY REPRESENTATIVE WALKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgments rendered in "Mary A. Brouillette v. Gilchrist Construction Company and the state of Louisiana through the Department of Transportation and Development" c/w Billy Hendrix, et al v. Gilchrist Construction Company, et al; to pay the consent judgments in "Janice Marie Miller, et ux and Amanda Heather Belgard, et ux v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 275—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Sizer Architects, A Professional Corporation, and J. Caldarera Company, Inc. v. The State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 289—**

BY REPRESENTATIVE TUCKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Cassandra Fontenette v. State of Louisiana through the Department of Transportation and Development and ABC Insurance Company"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 305—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 371—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Rhonda Johnson, on behalf of her minor daughter, Renata Johnson v. Melvin Dumas, Sr., his employer, St. James Catholic Church, and their liability insurance company, Virginia Surety Company, Randy Folse, and the Louisiana Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 643—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Nellie L. Smith, Mother of Tron E. Smith, Deceased v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 798—**

BY REPRESENTATIVE PERKINS

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Linda Berthelot v. Linda F. Jones, and State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 831—**

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Christine Vallien, Individually, on behalf of the estate of her husband, Leonard C. Vallien, and on behalf of her minor children, Joy Renee Vallien, Tiffany Rochelle Vallien, and Leonard C. Vallien, Jr. v. State of Louisiana through the Department of Transportation and Development"; to pay the consent judgment in "Kim Fitch, et al. v. Eddie Lewis, et al."; and to pay the consent judgment in "Kim Sonnier, et ux. v. Allstate Insurance Co., et al." to provide for interest; to provide for court costs; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 831 by Representative LeBlanc

### AMENDMENT NO. 1

On page 1, line 3, after "pay" and before "the final" insert "certain judgments against the state and recommendations of the Board of Tax Appeals; to pay"

### AMENDMENT NO. 2

On page 1, line 10, after "et al." insert a semi-colon ";" and insert "to pay the claim as recommended by the Board of Tax Appeals in "Petroleum Helicopters, Inc. v. State of Louisiana"; to pay the consent judgment in "State Farm Mutual Automobile Insurance Company (Paula Payne) v. State of Louisiana, through the Department of Transportation and Development, et al."; to pay the consent judgment in "Shuntell L. Chaney, individually and as natural tutrix of her minor children, Johnathan Chaney, Justin Chaney, and Jasmine Drake v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Ursell Spencer and Carolyn Spencer v. Union Pacific Railroad Company, et al.";

### AMENDMENT NO. 3

On page 2, between lines 17 and 18, insert the following:

"Section 4. The sum of Two Hundred Fifty-four Thousand Ninety-six and No/100 (\$254,096.00) Dollars is hereby appropriated out of the General Fund of the State of Louisiana for Fiscal Year 2003-2004 to be used to pay the recommendation of the Board of Tax Appeals in the suit entitled "Petroleum Helicopters, Inc. v. State of Louisiana", bearing number 4342 on the docket of the Board of Tax Appeals for the state of Louisiana.

Section 5. The sum of Fourteen Thousand Sixty-Four and 41/100 (\$14,064.41) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in "State Farm Mutual Automobile Insurance Company (Paula Payne) v. State of Louisiana, through the Department of Transportation and Development, et al.", bearing Number 16,707 on the docket of the Twentieth Judicial District Court, parish of West Feliciana, state of Louisiana.

Section 6. The sum of One Hundred Fifty-Six Thousand and No/100 (\$156,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in "Shuntell L. Chaney, individually and as natural tutrix of her minor children, Johnathan Chaney, Justin Chaney, and Jasmine Drake v. State of Louisiana, through the Department of Transportation and Development", bearing Number 2001-003559 on the docket of the Twenty-first Judicial District Court, parish of Tangipahoa, state of Louisiana.

Section 7. The sum of Ten Thousand and No/100 (\$10,000.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in "Ursell Spencer and Carolyn Spencer v. Union Pacific Railroad Company, et al.", bearing Number 95,933 on the docket of the Sixteenth Judicial District Court, parish of Iberia, state of Louisiana."

### AMENDMENT NO. 4

On page 2, line 18, change "Section 4." to "Section 8."

### AMENDMENT NO. 5

On page 2, line 21, change "Section 5." to "Section 9."

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 838—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Virgil Joffrion, Sr. v. The State of Louisiana, through the Department of Transportation

and Development, consolidated with Joan Grissafe v. The State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 843—**

BY REPRESENTATIVE FARRAR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments against the state in the suits entitled "Ann Hickman, Douglas L. Hickman, and Emily Hickman v. State of Louisiana, through the Department of Transportation and Development"; "Terry L. Westbrook, et al. v. State of Louisiana, Department of Transportation and Development"; "Vickie Gayle Evans v. State of Louisiana, Department of Transportation and Development, et al."; "Bobby Allison v. Highlands Insurance Company, et al."; "Billy Hendrix, et al. v. Gilchrist Construction Company, et al."; "Joseph Wiltz v. City of Alexandria Public Works Division and Charlsie Contracting"; and "Melvin Smith and Lenora Smith v. State of Louisiana Department of Transportation and Development, et al."; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 863—**

BY REPRESENTATIVE DURAND  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Alison Bond and Dennis W. Bond v. Blake E. Ewen, Kelley P. Ewen, State of Louisiana through the Department of Transportation and Development, City of Baton Rouge/Parish of East Baton Rouge, Boston Old Colony Insurance Co., and ABC Insurance Company"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 881—**

BY REPRESENTATIVE ALARIO  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Louis Merhige v. Board of Commissioners for the East Jefferson Levee District, C. "Bud" Taulli Construction Company, Inc., Manual Anaya, The Transportation Insurance Company, Parish of Jefferson, and the Department of Transportation and Development, State of Louisiana"; to pay the judgment in "Yvonne Updegraff v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

### **HOUSE BILL NO. 882—**

BY REPRESENTATIVE ALARIO  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis Bravo, individually, and for and on behalf of the

community of acquets and gains, and Betty Bravo v. Parish of Jefferson, Board of Commissioners for the East Jefferson Levee District, C."Bud" Taulli Construction Company, Inc., Manual Anaya, and the XYZ Insurance Company"; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 892—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 47:6007(C)(4), relative to economic development incentives; to provide that certain out-of-state employees locating in Louisiana qualify as "new direct jobs" when determining the amount of rebates under the Quality Jobs Rebate Program; to provide relative to certain transactions of motion picture investors; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 902—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "David P. Lanasa, Clare P. Lanasa, for/on behalf of the Estate of Debra Ann Lanasa, and her minor child, Tommy Jonathan Lanasa v. Michele A. Harrison, Allstate Insurance Company, and the State of Louisiana through the Department of Transportation and Development, c/w Michele A. Harrison v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 934—**

BY REPRESENTATIVE BROOME  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Latasha Butler, Individually and as Administratrix of the Estate of Her Minor Children, Tamara Butler and Lexie Butler v. State of Louisiana, through the Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 938—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to the Department of Education, State Activities, for payment or reimbursement for payment of legal expenses of James P. Dukes; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 984—**

BY REPRESENTATIVE SALTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Lashondria Howard, et al. v. State of Louisiana, et al. consolidated with Julia Faye Hamilton Guice, et al. v. Zurich American Insurance Company, et al., Lyndon Property Insurance Co., et al. v. Union Parish Police Jury, et al., consolidated with Darrell Foster, et al. v. State of Louisiana, et al."; to provide for court costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1075—**

BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY  
AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1095—**

BY REPRESENTATIVE WRIGHT  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis D. Cockerham, Sr. v. State of Louisiana, Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1139—**

BY REPRESENTATIVE ERDEY  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "James E. Leonard, et al. v. State of Louisiana through the Dept. of Transportation and Development"; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1176—**

BY REPRESENTATIVE DOWNER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Troy A. Rousse, et al. v. State of Louisiana, through the Department of Transportation and Development, et al."; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1239—**

BY REPRESENTATIVE FRITH

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gwendolyn Derouen, Brad Lee Derouen, Wendy Lynn Guidry and Kurt Lee Derouen v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1247—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Thelonious Dukes v. The State of Louisiana Department of Transportation and Development"; "Virginia Serpas v. the State of Louisiana, through the Department of Transportation and Development"; and "Anna Landry v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1248—**

BY REPRESENTATIVES HUTTER AND ODINET

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Evelyn Deffes v. State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1249—**

BY REPRESENTATIVE ROMERO

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Julaine C. LeBlanc, et al. v. State Farm Insurance Company, et al."; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1261—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in "Kasey J. Kidder v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Louisiana United Businesses Self Insured Fund v. the State of Louisiana, Department of Transportation consolidated with David L. Blount v. the State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Patrick Outlaw v. State of Louisiana, through the Department of Transportation and Development, et al"; to pay the consent judgments in "Don Gross, individually and as natural tutor of his minor children,

Don Terrell Spears and Adarian Dante Spears, and Mitchell Dominic v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1261 by Representative Daniel

**AMENDMENT NO. 1**

On page 2, line 28, change "Adrian" to "Adarian"

**AMENDMENT NO. 2**

On page 3, line 8, change "Adrian" to "Adarian"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1285—**

BY REPRESENTATIVE DOWNER

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the amended judgment in the claim against the state entitled "National Beverage Company v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1286—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain requirements related to consulting contract procurements; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1290—**

BY REPRESENTATIVE TOWNSEND

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the judgments in the suits entitled "Jonelle Clark v. Julie B. Roy, Allstate Insurance Company and State of Louisiana through the Department of Transportation and Development"; "Joe Farley, Jr., Mary Ann Farley Brooks, Rosetta Farley Fontenot, Elma Farley Alexander, Matthew Farley, Mose Farley, Henry E. Farley, Brenda Farley, Ollie Mae Farley Bell, and Robert L. Farley v. State of Louisiana, Department of Transportation and Development, et al."; "Lisa M. John v. Rodney G. Freeman, Financial Indemnity Insurance, Valerie J. Hill, Progressive Security Insurance Co., and State of Louisiana, through the Department of Transportation and Development"; "Rosemount, Inc. v. Secretary, Department of Revenue, State of Louisiana"; "Automatic Switch Company v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana"; "Herman H. Boyett et ux v. State of Louisiana, Etc."; "Joseph Roy Lyons, husband of/and Myra Leger Lyons, individually and on behalf of his minor children, Joseph Roy

Lyons, Jr. and Andrew Robert Lyons v. State of Louisiana, through the Department of Transportation and Development, Daimler/Chrysler Corporation, Southside Chrysler Corporation, d/b/a North Loop Dodge"; and "Brenda Whirl v. State of Louisiana, through the Department of Transportation and Development, et al"; to provide for interest; to provide for costs; and to provide for related matters.

Reported with amendments by the Committee on Finance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1290 by Representative Townsend

##### AMENDMENT NO. 1

On page 4, delete line 9 in its entirety, and at the beginning of line 10, delete "(3,500.00)" and insert the following:

"Section 8. The sum of Seven Thousand and No/100 (\$7,000.00)"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1304—

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1304 by Representative Stelly

##### AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and insert "27:392(B)(3)(c) and (5),

##### AMENDMENT NO. 2

On page 1, at the beginning of line 6, change "Parish" to "Parish; to provide for the distribution of such revenues in the Rehabilitation for the Blind and Visually Impaired Fund"

##### AMENDMENT NO. 3

On page 1, line 9, after "R.S." delete the remainder of the line and insert "27:392(B)(3)(c) and (5) are hereby"

##### AMENDMENT NO. 4

On page 1, delete lines 15 and 16 in their entirety

##### AMENDMENT NO. 5

On page 2, delete lines 1 through 8 in their entirety

##### AMENDMENT NO. 6

On page 2, delete lines 15 through 26 and on page 3, delete lines 1 through 3 all in their entirety

##### AMENDMENT NO. 7

On page 4, delete lines 18 through 26 and on page 5, delete lines 1 and 2 all in their entirety and insert:

"\* \* \*

##### AMENDMENT NO. 8

On page 5, delete lines 11 and 12 in their entirety and insert "be used solely to fund the Affiliated Blind of"

##### AMENDMENT NO. 9

On page 6, between lines 5 and 6, insert the following:

"Section 3. In the event of a conflict between the provisions of this Act and Act Number 352 of the 2003 Regular Session of the Legislature of Louisiana, the provisions of this Act shall prevail."

##### AMENDMENT NO. 10

On page 6, at the beginning of line 6, change "Section 3." to "Section 4."

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1314—

BY REPRESENTATIVE DEVILLIER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay certain judgments against the state; to pay the consent judgment in the suit entitled "McKinley Thompson v. State of Louisiana through the Department of Transportation and Development and East Feliciana Parish Sheriff's Office"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1317—

BY REPRESENTATIVE BROOME  
AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

##### HOUSE BILL NO. 1335—

BY REPRESENTATIVE R. CARTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Keith E. Ridgel and Tara Ridgel v. Emile G. Hardin, ABC Insurance Company, Illinois Central Railroad Company d/b/a Canadian National/Illinois Central Railroad, DEF Insurance Company, and the State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1369—**

BY REPRESENTATIVE M. JACKSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Nakisha Rogers v. Kenyatta Thomas, Allstate Insurance Company and the State of Louisiana through the Department of Transportation and Development"; "Kenyatta Thomas v. the State of Louisiana, through the Department of Transportation and Development"; and "Wiley Boyett, Elaine Boyett Rachal, Roger Van Boyett and Debra Boyett Allen v. Kemper Insurance Group, et al."; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1461—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Levar Green, et al. v. Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "John Kolwe and Sheila Kolwe v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in "Mathilda Curry v. Mutual Services Casualty Insurance Co., Hung Vu, and Department of Transportation and Development, State of Louisiana"; to provide for interest; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Carl Walther, et al. v. Department of Labor and Department of State Civil Service"; to pay the consent judgment in the suit entitled "Justin Phillips, et al. v. Elwood Matherne, Jr., et al."; to pay the consent judgment in the suit entitled "Gramercy Insurance Company v. Louisiana Department of Economic Development, Louisiana Small Business Bonding Assistance Program and Hibernia National Bank"; to pay certain judgments of the Board of Tax Appeals in the claims of "Newpark Environmental Services, Inc. v. State of Louisiana"; to provide for interest; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1518—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state for fees and costs associated with legal representation of certain juveniles; to provide for interest; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1622—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Derrick Shane Miller v. State of Louisiana through the Department of Transportation and Development and Prairie Construction Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1651—**

BY REPRESENTATIVE LANDRIEU AND SENATOR JOHNSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the final judgment in the suit entitled "Darlene Rogers and Carol Barnes v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in the suit entitled "William W. Rosen v. State of Louisiana through the Department of Transportation and Development, ABC Construction Company, and ABC Insurance Company"; to pay the consent judgment in the suit entitled "Michael Perry v. the State of Louisiana, through the Department of Transportation and Development and Parish of St. Bernard"; to pay the consent judgment in the suit entitled "William Serigne v. State of Louisiana, through the Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "Jerry L. Fox v. Alton B. Honeycutt, et al."; to pay the consent judgment in "Tina Marie Hebert v. Robert Metzler, Barriere Construction Co., Inc., St. Paul Fire & Marine Insurance Company and Atlanta Casualty Companies"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1654—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the consent judgments in the suits entitled "Kerry Kathryn Gordon Benoit and Breanna Hope Benoit v. The Hartford Casualty Insurance, et al."; "Betty Frady Huddleston v. State of Louisiana, Department of Transportation and Development"; "Dorothy Calico and Kelly Calico v. Angelo Iafrate, Louisiana Department of Transportation and Development, ABC Contracting Company, DEF Insurance Company and XYZ Insurance Company"; "Dale Rice, individually and on behalf of Jonathan T. Rice v. Zulema VA. Miller, Johnny C. Miller, the Parish of East Feliciana, the State of Louisiana through the Department of Transportation and Development, Transcontinental Pipeline Gas Company and XYZ Insurance Company"; "Linda Rainey, as the tutor of Kody Michel v. State of Louisiana, Department of Transportation and Development and Department of Public Works; the Parish of St. Tammany; Town of Abita Springs; Wal-Mart, Inc., and XYZ Engineering Company"; and "Pique-Weinstein-Pique-Architects, Inc. v. Louisiana Stadium and Exposition District"; to provide for interest; to provide for court costs; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1654 by Representative LaFleur

##### AMENDMENT NO. 1

On page 1, line 18, after "and" and before ""Pique" insert "to pay the final judgment in"

##### AMENDMENT NO. 2

On page 3, line 17, after "plus" delete the remainder of the line and on line 18, delete "\$1,072.75" and insert "Eight Hundred Seventy and 95/100 (\$870.95)"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1673—

BY REPRESENTATIVE LAFLEUR

##### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Natalie Ortego v. Crowell Lumber Company and St. Paul Fire and Marine Insurance Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1742—

BY REPRESENTATIVE HUTTER

##### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Walter Diggs, Jr., husband of and Mary Diggs v. Louisiana Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

#### HOUSE BILL NO. 1781—

BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND

##### AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1781 by Representative LeBlanc, et al.

##### AMENDMENT NO. 1

On page 1, delete lines 7 and 8 in their entirety and insert the following:

"Section 1.A. The sum of One Hundred Ten Million Four Hundred Forty-one Thousand Three Hundred Forty-two and No/100 (\$110,441,342.00) Dollars, or so much thereof as may be"

##### AMENDMENT NO. 2

On page 3, at the end of line 12, change "\$6,711,658" to "\$6,410,035"

##### AMENDMENT NO. 3

On page 3, at the end of line 16, change "\$2,734,761" to "\$2,515,168"

##### AMENDMENT NO. 4

On page 3, at the end of line 30 change "\$766,829" to "\$740,582"

##### AMENDMENT NO. 5

On page 3, at the end of line 36, change "\$256,581" to "\$250,562"

##### AMENDMENT NO. 6

On page 3, at the end of line 43, change "\$800,434" to "\$622,389"

##### AMENDMENT NO. 7

On page 3, at the end of line 46, change "\$1,403,137" to "\$1,396,615"

##### AMENDMENT NO. 8

On page 4, at the end of line 10, change "\$142,672" to "\$139,038"

##### AMENDMENT NO. 9

On page 4, at the end of line 20 change "\$599,154" to "\$608,908"

##### AMENDMENT NO. 10

On page 4, at the end of line 21, change "\$1,750,883" to "\$1,743,184"

##### AMENDMENT NO. 11

On page 4, delete lines 30 through 39 in their entirety

##### AMENDMENT NO. 12

On page 4, at the end of line 42, change "\$32,790,975" to "\$30,125,835"

##### AMENDMENT NO. 13

On page 5, delete lines 24 through 27 in their entirety

##### AMENDMENT NO. 14

On page 5, line 28, change "22" to "21"

##### AMENDMENT NO. 15

On page 5, line 33, change "23" to "22"

##### AMENDMENT NO. 16

On page 5, line 44, change "12,260,192" to "9,830,000"

##### AMENDMENT NO. 17

On page 5, at the end of line 45, change "\$50,793,116" to "\$45,697,784"

##### AMENDMENT NO. 18

On page 6, at the end of line 48, change "\$7,013,520" to "\$6,936,657"

##### AMENDMENT NO. 19

On page 6, at the end of line 51, change "\$3,881,031" to "\$3,716,232"

##### AMENDMENT NO. 20

On page 7, at the end of line 3, change "\$5,598,024" to "\$5,476,345"

##### AMENDMENT NO. 21

On page 7, at the end of line 6, change "\$5,701,897" to "\$5,480,268"

##### AMENDMENT NO. 22

On page 7, at the end of line 9, change "\$3,926,411" to "\$3,824,770"

##### AMENDMENT NO. 23

On page 7, at the end of line 10, change "\$31,546,466" to "\$30,859,855"

AMENDMENT NO. 24

On page 9, at the end of line 18, change "\$316,597" to "\$301,380"

AMENDMENT NO. 25

On page 9, at the end of line 20, change "\$208,830" to "\$203,053"

AMENDMENT NO. 26

On page 9, at the end of line 23, change "\$25,332,405" to "\$25,311,411"

AMENDMENT NO. 27

On page 10, at the end of line 6, change "\$556,699" to "\$538,890"

AMENDMENT NO. 28

On page 10, at the end of line 7, change "\$444,431" to "\$432,387"

AMENDMENT NO. 29

On page 10, at the end of line 8, change "\$129,885" to "\$124,959"

AMENDMENT NO. 30

On page 10, at the end of line 10, change "\$267,321" to "\$263,837"

AMENDMENT NO. 31

On page 10, at the end of line 11, change "\$4,184,109" to "\$4,145,846"

AMENDMENT NO. 32

On page 10, at the end of line 20, change "\$31,337,763" to "\$31,278,506"

AMENDMENT NO. 33

On page 10, at the end of line 36, change "\$379,756" to "\$367,017"

AMENDMENT NO. 34

On page 10, at the end of line 40, change "\$59,693" to "\$57,928"

AMENDMENT NO. 35

On page 11, at the end of line 4, change "\$469,449" to "\$454,945"

On motion of Senator Dardenne, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1792—**

BY REPRESENTATIVE HUDSON

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain consent judgments against the state; to pay the consent judgment in the suit entitled "Joseph Powell v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Nelda Powell v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1858—**

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH

AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1873—**

BY REPRESENTATIVE JOHN SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Albert J. Rohlf's and Helen M. Rohlf's v. Great West Casualty Co., et al" and "James Luther, et ux. v. Janie Audra Mason, et al."; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1875—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO

AN ACT

To appropriate the sum of Fifty-two Million Nine Hundred Forty Thousand One Hundred Twenty-Nine and No/100 (\$52,940,129.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Eight Million Nine Hundred Thirteen Thousand Nine Hundred Eighty-eight and No/100 (\$8,913,988.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1918—**

BY REPRESENTATIVE DOWNS

AN ACT

To amend and reenact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for use of certain monies in the fund; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1919—**

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of members' necessary travel expenses; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.



**HOUSE BILL NO. 1953—**

BY REPRESENTATIVE ARNOLD

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Leora Gernados, et al v. Toby E. Vallian and the Department of Transportation and Development" and "Terri C. Gernados v. Toby E. Vallian, et al."; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1983—**

BY REPRESENTATIVE MCDONALD

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgment in the suit entitled "Stuart Hughes Smith, et ux. v. State of Louisiana, Department of Transportation and Development et al"; to pay the judgment in the suit entitled "Marcus Ray Bennett v. Ford Motor Company and State of Louisiana, Department of Transportation and Development"; to pay the judgment in the suit entitled "The Estate of Gabriel Taylor Murray, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Regular Order of the Day Resumed****Reconsideration**

On motion of Senator Michot, pursuant to the previous notice given, the vote by which the following bill failed to pass on Thursday, June 19, 2003 was reconsidered.

**HOUSE BILL NO. 1015—**

BY REPRESENTATIVE DEVILLIER

**AN ACT**

To amend and reenact R.S. 40:967(B)(1), (3), and (5), relative to Schedule II controlled dangerous substances; to provide increased penalties for the distribution, dispensing, or possession with intent to produce, manufacture, distribute, or dispense amphetamines or methamphetamines; to clarify the penalty provision for Schedule II non-narcotic controlled dangerous substances not otherwise provided for by law; and to provide for related matters.

On motion of Senator Michot, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments,  
Subject to Call**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, Subject to Call were taken up and acted upon as follows:

**Called from the Calendar**

Senator Chaisson asked that Senate Bill No. 320 be called from the Calendar at this time.

**SENATE BILL NO. 320—**

BY SENATOR CHAISSON

**AN ACT**

To amend and reenact R.S. 14:98(A)(1)(d) and (e), relative to the offense of driving while intoxicated; to provide relative to driving under the influence of a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; to provide relative to driving under the influence of a combination of alcohol and a drug which is not a controlled dangerous substance; to provide an affirmative defense for such charge under certain conditions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 320 by Senator Chaisson

**AMENDMENT NO. 1**

On page 2, line 11, after "the" delete the remainder of the line and delete lines 12 and 13 in their entirety and insert in lieu thereof the following: "label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol."

Senator Chaisson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	McPherson
Adley	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—28		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields	Marionneaux
Boissiere	Irons	Schedler
Cravins	Johnson	Tarver
Dardenne	Lambert	
Total—11		

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Called from the Calendar**

Senator Chaisson asked that Senate Bill No. 406 be called from the Calendar at this time.

**SENATE BILL NO. 406—**  
BY SENATOR CHAISSON

**AN ACT**

To amend and reenact R.S. 14:32.1(A)(5) and (6), 39.1(A)(4) and (5), and 39.2(A)(4) and (5), relative to crimes related to assault and battery; to provide relative to vehicular homicide, vehicular negligent injuring, and first degree vehicular negligent injuring; to eliminate certain elements of such crimes; to provide for the lack of such elements to be available as an affirmative defense to certain charges of such crimes; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 406 by Senator Chaisson

**AMENDMENT NO. 1**

On page 2, line 12, after "the" delete the remainder of the line and delete lines 13 and 14 in their entirety and insert in lieu thereof the following: "label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol."

**AMENDMENT NO. 2**

On page 3, line 10, after "the" delete the remainder of the line and delete lines 11 and 12 in their entirety and insert in lieu thereof the following: "label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol."

**AMENDMENT NO. 3**

On page 4, line 9, after "the" delete the remainder of the line and delete lines 10 and 11 in their entirety and insert in lieu thereof the following: "label on the container of the prescription drug or the manufacturer's package of the drug does not contain a warning against combining the medication with alcohol."

Senator Chaisson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Dardenne	Hoyt	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—30		

**NAYS**

Total—0

**ABSENT**

Bajoie	Fields	Lambert
Boissiere	Irons	Marionneaux
Cravins	Johnson	Schedler
Total—9		

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the order of

**House Concurrent Resolutions  
on Second Reading**

The following House Concurrent Resolutions were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 143—**  
BY REPRESENTATIVE TUCKER

**A CONCURRENT RESOLUTION**

To direct the Department of Health and Hospitals to take all steps necessary to maximize the reimbursement to schools of the cost of administering and providing medical and related services needed by Medicaid-eligible special education students.

On motion of Senator Adley, the resolution was read by title and referred to the Committee on Health and Welfare.

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of advancing to the order of

**House Bills and Joint Resolutions on  
Third Reading  
and Final Passage, Resumed**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE BILL NO. 1726—**  
BY REPRESENTATIVE MORRELL  
**AN ACT**

To enact R.S. 33:4071.1 and to repeal R.S. 33:4085(C), relative to the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Marionneaux
Adley	Gautreaux	Michot
Bajoie	Hines	Mount
Barham	Holden	Romero
Bean	Hollis	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	

June 20, 2003

Fields  
Total—34Malone  
NAYSDean  
Total—1

ABSENT

Chaisson  
Heitmeier  
Total—4Lambert  
McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1741—**

BY REPRESENTATIVE PINAC

AN ACT

To enact Chapter 8-A of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:871 through 878, relative to delivery sales of cigarettes; to provide for definitions; to provide relative to the regulation of sales of cigarettes when such sale is made pursuant to an order placed by means of telephone or other voice transmission, mail or other delivery service, or the Internet or online service or when delivery is made by mail or by delivery service; to provide for penalties for violations; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Michot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Michot to Engrossed House Bill No. 1741 by Representative Pinac

**AMENDMENT NO. 1**

On page 3, line 4, after "service" delete the remainder of the line, delete line 5, and insert "that is a motor carrier of property registered with the U. S. Department of Transportation and/or an air carrier certified by the U. S. Department of Transportation to provide all-cargo air transportation, when engaged in the business of"

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Barham  
Bean  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Ellington  
Total—29Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Jones, B  
Lentini  
MaloneMcPherson  
Michot  
Mount  
Romero  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Bajoie  
Boissiere  
Fields  
Total—10Irons  
Johnson  
Jones, CD  
LambertMarionneaux  
Schedler

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1761—**

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4138 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of eighteen million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Adley  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Fields  
Total—34Fontenot  
Gautreaux  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lentini  
MaloneMarionneaux  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Dean  
Total—1

ABSENT

Mr. President  
Heitmeier  
Total—4Lambert  
McPherson

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1762—**

BY REPRESENTATIVE MORRELL

AN ACT

To amend and reenact R.S. 33:4148 and to enact R.S. 33:4071.1, relative to the city of New Orleans; to remove the debt ceiling of sixty-eight million dollars for the Sewerage and Water Board of New Orleans; to provide relative to certain contracts of the Sewerage and Water Board of New Orleans; to provide for certain approvals of certain contracts of the Sewerage and Water Board of New Orleans; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	
Total—35		

#### NAYS

Dean  
Total—1

#### ABSENT

Mr. President	Lambert	McPherson
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1794—

BY REPRESENTATIVE R. CARTER  
AN ACT

To amend and reenact Code of Civil Procedure Article 970(C), relative to offer of judgment procedures; to provide for attorney fees; and to provide for related matters.

### Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Holden to Engrossed House Bill No. 1794 by Representative R. Carter

#### AMENDMENT NO. 1

On page 1, line 2, between "970(C)" and the comma "," insert "and R.S. 9:3578.4(C) and 3578.6(A)(1)"

#### AMENDMENT NO. 2

On page 1, line 3 between "procedures" and the semicolon ";" insert "and attorney fees"

#### AMENDMENT NO. 3

On page 2, below line 3 insert the following:  
"Section 2. R.S. 9:3578.4(C) and 3578.6 (A)(1) are hereby amended and reenacted to read as follows:  
§3578.4. Finance charge and fees

\* \* \*

C. ~~No~~ Except for reasonable attorney fees and costs awarded by a court, no other fees or charges may be assessed or collected on a deferred presentment transaction or small loan, including any other fees as may be provided for under this Chapter Code Title or any other law.

\* \* \*

§3578.6. Prohibited acts

A licensee shall not:

(1) ~~Charge~~ Except for reasonable attorney fees and costs awarded by a court, charge, contract for, receive, or collect a loan finance charge or credit service charge, or any other fee or charge other than as provided in R.S. 9:3578.4.

\* \* \*

On motion of Senator Holden, the amendments were adopted.

On motion of Senator Ellington, the amended bill was read by title and returned to the Calendar, subject to call.

### HOUSE BILL NO. 1808—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Code of Evidence Article 1001(3), relative to the contents of writings, recordings, and photographs; to include certain data within the definition of "original"; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fontenot	Malone
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Cain	Hines	Mount
Chaisson	Holden	Romero
Cravins	Hollis	Smith
Dardenne	Hoyt	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—30		

#### NAYS

Total—0

#### ABSENT

Mr. President	Fields	Lambert
Bajoie	Irons	Marionneaux
Boissiere	Johnson	Schedler
Total—9		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1811—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 11:752(A) and to enact R.S. 11:752(F) and 754(C), relative to the Teachers' Retirement System of Louisiana; to provide relative to unused annual and sick leave; to require payment for unused accumulated leave which cannot be converted to retirement credit; to provide for an effective date; and to provide for related matters.

### Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Engrossed House Bill No. 1811 by Representative Triche

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 2 proposed by the Committee on Retirement and adopted by the Senate on June 11, 2003, on page 1, at the end of line 6, after "leave," insert "In no case shall the total leave converted pursuant to this Subsection and R.S. 11:754(C) be more than two years."

**AMENDMENT NO. 2**

In Senate Committee Amendment No. 4 proposed by the Committee on Retirement and adopted by the Senate on June 11, 2003, on page 1, at the end of line 12, after "leave," insert "In no case shall the total leave converted pursuant to this Subsection and R.S. 11:752(F) be more than two years."

**AMENDMENT NO. 3**

On page 2, between lines 21 and 22, insert the following:

"Section 2. The provisions of this Act shall be null and void after December 31, 2003."

**AMENDMENT NO. 4**

On page 2, line 22, change "Section 2" to "Section 3"

**Motion**

Senator Barham moved to table the entire subject matter.

Senator Gautreaux objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Heitmeier	Michot
Barham	Hines	Mount
Bean	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Lentini	Theunissen
Ellington	Malone	Ullo
Fontenot	Marionneaux	
Total—23		

**NAYS**

Cain	Dupre	Holden
Chaisson	Gautreaux	Jones, CD
Total—6		

**ABSENT**

Mr. President	Irons	Schedler
Bajoie	Johnson	Thomas
Boissiere	Lambert	
Fields	McPherson	
Total—10		

The Chair declared the entire subject matter was tabled.

**HOUSE BILL NO. 1820—**

BY REPRESENTATIVE M. JACKSON  
AN ACT

To enact Code of Evidence Article 518, relative to privileged communications; to provide for a testimonial privilege for certain communications made to a trained peer support member; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Gautreaux	Malone	
Total—29		

**NAYS**

Dean	Marionneaux
Total—2	

**ABSENT**

Mr. President	Fields	Lambert
Bajoie	Fontenot	Schedler
Boissiere	Irons	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1846—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 14:95.3, relative to the crime of unlawful use of body armor; to revise the provision of law which makes the use of body armor by persons who have been convicted of certain crimes a criminal offense; to provide that the possession of body armor by persons who have been convicted of certain crimes is a criminal offense; and to provide for related matters.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Fontenot	Malone	
Total—32		

**NAYS**

Total—0

**ABSENT**

Mr. President	Fields	Schedler
Bajoie	Irons	

Boissiere  
Total—7

Lambert

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Mr. President in the Chair**

**HOUSE BILL NO. 1852—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To enact R.S. 13:996.60, relative to judicial expense funds of district courts; to establish a judicial expense fund for a district court comprised of two parishes with one parish having a population of between fourteen thousand seven hundred fifty and fifteen thousand two hundred fifty and one parish having a population between twenty-one thousand two hundred eighty and twenty-one thousand five hundred according to the most recent federal decennial census; to provide for assessment of fees in civil and criminal matters; to require the clerks of court to place all sums collected into a separate account designated as the judicial expense fund; to require annual audits; to provide for uses of the fund; to prohibit the use of the fund for salaries; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senators Fields, Holden and Marionneaux to Engrossed House Bill No. 1852 by Representative R. Carter

**AMENDMENT NO. 1**

On page 1, line 2, change "13:996.60" to "13:992.1 and 996.60"

**AMENDMENT NO. 2**

On page 1, line 2, after "courts;" insert "to authorize the Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District Court to impose additional costs of court and service charges in certain civil matters; to provide for collection of such costs and charges; to establish a judicial building fund; to provide for the dedication and disbursement of such funds;"

**AMENDMENT NO. 3**

On page 1, line 15, change "13:996.60 is" to "13:992.1 and 996.60 are"

**AMENDMENT NO. 4**

On page 1, after lines 15, insert the following:

**"§992.1. Judicial building fund**

A. The Nineteenth Judicial District Court and the clerk of court of the Nineteenth Judicial District are hereby authorized to impose the following additional costs of court and service charges provided for in Subsection B of this Section in all cases over which the court has jurisdiction, until the bonded indebtedness provided for in Subsection C of this Section is paid. The costs and charges may be up to and include the maximum amount set forth and shall be imposed on order of the judges en banc. Such costs and charges shall be paid to the clerk of court when the filing is made.

B.(1) Until such time that public bids are let for the construction project the amounts of the costs and charges which may be imposed shall be as provided in this Paragraph.

<u>Service Provided</u>	<u>Amount of Cost Authorized</u>
<u>(1) Recordings</u>	<u>Up to ten dollars per recordation</u>
<u>(2) Civil Filings</u>	<u>Up to twenty-five dollars per civil filing</u>
<u>(3) Jury Trials</u>	<u>Up to one hundred dollars per jury requested</u>

(4) Class Actions Up to one thousand twenty-five dollars per class certified

(2) After public bids are let for the construction project the amounts of costs and charges which may be imposed shall be as provided in this Paragraph.

<u>Service Provided</u>	<u>Amount of Cost Authorized</u>
<u>(a) Recordings</u>	<u>Up to twenty dollars per recordation</u>
<u>(b) Civil Filings</u>	<u>Up to one hundred dollars per civil filing</u>
<u>(c) Jury Trials</u>	<u>Up to two hundred dollars per jury requested</u>
<u>(d) Class Actions</u>	<u>Up to two thousand fifty dollars per class certified</u>

C. The monies generated pursuant to this Section shall be forwarded by the clerk of court and sheriff to the department of finance for East Baton Rouge Parish and shall be placed within a separate account within the judicial expense fund created under the provisions of R.S. 13:992. These monies shall be dedicated to the design, planning, feasibility, acquisition, construction, equipping, operating and maintaining a new facility to house the Nineteenth Judicial District Court, the Family Court of East Baton Rouge Parish, the offices of the clerk of court for the Nineteenth Judicial District, and such other ancillary agencies as may be necessary. No monies generated pursuant to this Section shall be used for payment of any bonded indebtedness involving site acquisition or construction of a new facility unless approved by the Joint Legislative Committee on the Budget and the State Bond Commission. For the purposes of this Section, "equipping" shall include, but not be limited to, expenditures for the purchase and maintenance of computer software and hardware for the agencies housed in the judicial facility.

D. If public bids are not let for the construction of a new facility as provided in this Section within two years of the effective date of this Act, then the authority provided in this Section to levy the additional costs and charges shall terminate and be null and void. Thereafter, no costs or charges authorized in this Section shall be imposed or collected. Should the authority to levy such costs and charges terminate as set forth herein, all funds collected and deposited in the separate account as provided in this Section shall be used solely for capital improvements to the facility then housing the Nineteenth Judicial Court.

\* \* \*

Senator B. Jones asked for a ruling from the Chair as to whether the amendment was a fee or a tax.

The Chair ruled that the amendment was a fee.

Senator Fields moved adoption of the amendments.

Senator Ellington objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Malone
Boissiere	Gautreaux	Marionneaux
Cain	Heitmeier	McPherson
Chaisson	Hines	Mount
Cravins	Holden	Romero
Dardenne	Johnson	Tarver
Dupre	Jones, CD	Theunissen
Fields	Lentini	Thomas
Total—24		

**NAYS**

Mr. President	Dean	Jones, B
Adley	Ellington	Michot
Barham	Hollis	Smith

Bean  
Total—11

Hoyt  
ABSENT

Irons  
Lambert  
Total—4

Schedler  
Ullo

The Chair declared the amendments were adopted.

On motion of Senator Barham, the amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

#### HOUSE BILL NO. 1854—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 35:12 and 191(C)(2)(a) and to enact R.S. 35:202, 215, 216, and 409, relative to notaries public; to provide for the use of identification numbers on notarized documents; to require the filing of annual reports and filing fees; to provide for late charges and penalties; to provide for uniform standards for notary examinations; to provide for the authority and duties of the secretary of state; to provide for certain fees; to provide for a database of all notaries; to provide for the authority of ex officio notaries; and to provide for related matters.

#### Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 1854 by Representative Bowler

#### AMENDMENT NO. 1

On page 6, delete lines 17 through 24 and insert the following:

"(3) Maintain a bank of examination questions and model answers for the exclusive use of the secretary of state and the several parish examining committees to be used for examinations required by R.S. 35:191(C).

(4) Publish and make available to the public a document containing the material and sources from which each currently maintained bank of examination questions are devised for use as a study guide and charge a fee for the actual cost not to exceed one hundred dollars."

On motion of Senator Johnson, the amendments were adopted.

#### Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Reengrossed House Bill No. 1854 by Representative Bowler

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 35:" delete the remainder of the line

#### AMENDMENT NO. 2

On page 1, line 4, after "documents;" delete "to require the filing of" and delete line 5

#### AMENDMENT NO. 3

On page 1, line 12, after "R.S. 35:" delete "202,"

#### AMENDMENT NO. 4

On page 3, delete lines 16 through 26, and delete page 4, and on page 5, delete lines 1 through 16

#### AMENDMENT NO. 5

On page 7, delete lines 8 through 18, and on line 19, change "(4)" to "(2)"

#### Motion

Senator Cain moved to return the amended bill to the Involuntary Calendar.

Senator Johnson objected.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President  
Bean  
Cain  
Dardenne  
Dean  
Total—14

Dupre  
Fontenot  
Holden  
Hollis  
Michot

Mount  
Smith  
Thomas  
Ullo

#### NAYS

Bajoie  
Barham  
Boissiere  
Cravins  
Ellington  
Fields  
Total—17

Heitmeier  
Hoyt  
Irons  
Johnson  
Lentini  
Malone

Marionneaux  
Romero  
Schedler  
Tarver  
Theunissen

#### ABSENT

Adley  
Chaisson  
Gautreaux  
Total—8

Hines  
Jones, B  
Jones, CD

Lambert  
McPherson

The Chair declared the Senate refused to return the amended bill to the Involuntary Calendar.

#### Rules Suspended

Senator Ellington asked for a suspension of the rules for the purpose of invoking 3 minute cloture.

Without objection, so ordered.

#### Motion

Senator Johnson moved to table the amendment.

Senator Cain objected.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Bajoie  
Boissiere  
Chaisson  
Cravins  
Dupre  
Total—14

Ellington  
Fields  
Gautreaux  
Hoyt  
Irons

Johnson  
Jones, B  
Marionneaux  
Theunissen

#### NAYS

Adley

Heitmeier

Romero

Barham	Holden	Schedler
Bean	Hollis	Smith
Cain	Malone	Tarver
Dardenne	Michot	Thomas
Dean	Mount	Ullo
Total—18		

ABSENT

Mr. President	Jones, CD	McPherson
Fontenot	Lambert	
Hines	Lentini	
Total—7		

The Chair declared the Senate refused to table the amendment.

Senator Cain moved adoption of the amendments.

Senator Johnson objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Cain	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Malone	Thomas
Fontenot	Michot	Ullo
Holden	Mount	
Total—14		

### NAYS

Mr. President	Dupre	Jones, CD
Adley	Ellington	Lentini
Bajoie	Fields	Marionneaux
Barham	Gautreaux	Romero
Bean	Heitmeier	Tarver
Boissiere	Hoyt	Theunissen
Chaisson	Johnson	
Dean	Jones, B	
Total—22		

ABSENT

Hines	Lambert	McPherson
Total—3		

The Chair declared the amendments were rejected.

## Rules Suspended

Senator Cain asked for a suspension of the rules for the purpose of granting the speaker an additional 3 minutes.

Senator Cravins objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Dupre	Lentini
Barham	Fields	Malone
Cain	Fontenot	Smith
Cravins	Holden	Ullo
Dardenne	Jones, B	
Dean	Jones, CD	
Total—16		

### NAYS

Mr. President	Hollis	Romero
Bajoie	Hoyt	Tarver
Boissiere	Irons	Theunissen
Chaisson	Johnson	Thomas
Ellington	Marionneaux	
Gautreaux	Michot	
Total—16		

ABSENT

Bean	Lambert	Schedler
Heitmeier	McPherson	
Hines	Mount	
Total—7		

The Chair declared the Senate refused to suspend the rules.

## Motion

Senator Marionneaux moved the previous question on the entire subject matter.

Senator Dean objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Marionneaux
Adley	Fontenot	Michot
Bajoie	Gautreaux	Mount
Bean	Heitmeier	Romero
Boissiere	Holden	Schedler
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Jones, B	Thomas
Dupre	Lentini	
Total—29		

### NAYS

Barham	Johnson	Ullo
Cain	Jones, CD	
Fields	Malone	
Total—7		

ABSENT

Hines	Lambert	McPherson
Total—3		

The Chair declared the previous question was called on the entire subject matter.

On motion of Senator Johnson, the amended bill was read by title and returned to the Calendar, subject to call.

## Senator Fields in the Chair

### HOUSE BILL NO. 1859— BY REPRESENTATIVE WOOTON AN ACT

To amend and reenact R.S. 33:3001, relative to the limit on parish governing authority appropriations for certain fairs and festivals; to increase such limit; and to provide for related matters.

The bill was read by title. Senator Dupre moved the final passage of the bill.



**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Smith
Dupre	Johnson	Tarver
Ellington	Jones, B	Theunissen
Fields	Jones, CD	Ullo

Total—33

**NAYS**

Dean  
Total—1

**ABSENT**

Mr. President	Lambert	Thomas
Dardenne	Schedler	

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1862—**

BY REPRESENTATIVE PERKINS

**AN ACT**

To amend and reenact R.S. 15:572(A) and (B), relative to pardons; to provide that a pardon shall not be issued to any person unless that person has paid all of the fees and fines which were imposed in connection with the conviction of the crime for which the pardon is to be issued; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	

Total—35

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert
Dardenne	Schedler

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1881—**

BY REPRESENTATIVE SCHNEIDER

**AN ACT**

To amend and reenact R.S. 11:449(C), 1152(F)(3), 1312(H), 1456(F)(1), 1530(F), 1641(C), 1763(F)(2), 1938(F)(2), 2178.1(C)(9)(a), 2221(F)(2), and 2257(F)(2), relative to state and statewide retirement systems; to provide with respect to Deferred Retirement Option Plans and Back-Deferred Retirement Option Plans; to provide for investment of the funds in such plans; to require that any investment of such funds after the member completes participation in the plan shall be in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

On motion of Senator Boissiere, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1884—**

BY REPRESENTATIVE HEBERT

**AN ACT**

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

The bill was read by title. Senator Romero moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lentini	

Total—35

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert
Boissiere	Schedler

Total—4

The Chair declared the bill was passed. The title was read and adopted. Senator Romero moved to reconsider the vote by which the bill was passed and laid the motion on the table.

June 20, 2003

**HOUSE BILL NO. 1896—**

BY REPRESENTATIVE PITRE

**AN ACT**

To enact R.S. 9:2800.13, relative to liability for damages related to transportation of material by carrier; to provide for specific findings of fact; to provide for a determination of causation; to provide for evidence of negligence or fault; to provide for the applicability of comparative fault; and to provide for related matters.

The bill was read by title. Senator Adley moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Ellington	Lentini	
Total—37		

**NAYS**

Total—0

**ABSENT**

Lambert	Schedler
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1916—**

BY REPRESENTATIVE DARTEZ

**AN ACT**

To amend and reenact R.S. 33:2333(B)(2)(a) and to repeal R.S. 33:2333(B)(3), relative to the disposition of stolen, seized, or relinquished property; to provide with respect to the disposition of noncontraband property; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Chaisson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Chaisson to Engrossed House Bill No. 1916 by Representative Dartez

**AMENDMENT NO. 1**

On page 1, line 15, change "twenty" to "fifty"

On motion of Senator Chaisson, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—38		

**NAYS**

Total—0

**ABSENT**

Lambert
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1969—**

BY REPRESENTATIVE SCHWEGMANN

**AN ACT**

To enact R.S. 33:9076, relative to improvement districts; to provide for the continued levy of certain taxes and fees that support certain improvement districts; to provide for voting requirements; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Johnson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Marionneaux
Adley	Fontenot	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Bean	Holden	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Chaisson	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Cravins	Hollis	McPherson
Hines	Lambert	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Johnson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2016 (Substitute for House Bill No. 1060 by Representative Beard)—**  
BY REPRESENTATIVE BEARD

AN ACT

To enact Chapter 17 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:2391 through 2398, relative to reclaimed water; to establish a reclaimed water program; to provide for definitions; to prohibit the use of potable water for certain purposes if reclaimed water is available; to provide for the use of revenue collected from the sale of reclaimed water; to create a drought-proof supply of water for industry; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hoyt sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hoyt to Reengrossed House Bill No. 2016 by Representative Beard

**AMENDMENT NO. 1**

On page 4, line 8, after "grassy" and before "areas" insert "non-developed"

On motion of Senator Hoyt, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Fontenot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 2016 by Representative Beard

**AMENDMENT NO. 1**

On page 1 lined 3 change "2398" to "2399"

**AMENDMENT NO. 2**

On page 1, line 11 change "2398" to "2399"

**AMENDMENT NO. 3**

On page 6, below line 15, insert the following:

"§2399. Design of Reclaimed Water System

A. Reclaimed water systems shall be designed with the goal of preventing the contamination of potable water.

B. All transmission and distribution piping for a reclaimed water system shall comply with the requirements of Part XII (Water Supply) and Part XIV (Plumbing) of the Louisiana State Sanitary Code relative to color-coding, non-potable water identification, complete separation from potable water systems, separation distances from potable water piping when run in parallel, separation distance requirements when crossing potable water line, and such other necessary items."

On motion of Senator Fontenot, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—35		

**NAYS**

Total—0

**ABSENT**

Mr. President	Jones, B
Hines	Lambert
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2020 (Substitute for House Bill No. 1546 by Representative Bowler)—**  
BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:2273, relative to trusts; to provide for the definition of corporate trustee; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 2022 (Substitute for House Bill No. 1932 by Representative Daniel)—**  
BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 30:2015.1, relative to the remediation of usable ground water; to provide for purpose; to provide for notice of actions to recover damages for usable ground water contamination; to provide for certain state departments intervening or being made parties to such actions; to provide for remediation plans and response by certain state agencies; to provide for damages to be placed into the registry of the court; to provide for certain court costs; to provide for expenditure of funds from such registry; to provide for posting of bonds; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Adley sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Adley to Engrossed House Bill No. 2022 by Representative Daniel

**AMENDMENT NO. 1**

Delete Senate Committee Amendments 1, 2, 4, 8, 9, 10, & 12.

**AMENDMENT NO. 2**

On page 2, delete lines 4 through 7 in their entirety.

AMENDMENT NO. 3

On page 2, line 8, after "pleading" delete ", or" and insert "by any plaintiff in the principal demand, or his"

AMENDMENT NO. 4

On page 2, delete lines 11 and 12 in their entirety and insert the following: "pollution that is alleged to impact or threaten usable ground water, such plaintiff"

AMENDMENT NO. 5

On page 2, line 13, delete "or parties"

AMENDMENT NO. 6

On page 2, line 25, after "Procedure." insert the following: "Such department shall not have the right to independently assert a plea for damages to usable ground water beyond that stated by the plaintiff in the principal demand. However, nothing in this Section shall diminish the authority of the departments from independently bringing any civil or administrative enforcement action."

AMENDMENT NO. 7

On page 3, line 10, after "court" delete "shall also"

AMENDMENT NO. 8

On page 3, line 24, delete "source of"

AMENDMENT NO. 9

On page 4, delete lines 3 through 14 in their entirety and insert the following:

"(4) No plan shall be adopted by the court without the court having provided the Department of Natural Resources or the Department of Environmental Quality an opportunity to provide input into the formulation of the plan and without the court having given consideration to any input provided by the departments."

D. After a trial on the merits, if the court makes a determination that contamination exists which poses a threat to public health as to which evaluation or remediation is required to protect usable ground water and determines the party responsible, the court shall render judgment adopting the plan which the court determines is the most feasible plan to evaluate or remediate the contamination and protect the usable ground water consistent with the health, safety, and welfare of the people. To the extent the judgment requires the evaluation or remediation to protect usable ground water, the court shall order the responsible party to deposit the estimated cost to implement the plan in the registry of the court. The court shall order the Department of Natural Resources or the Department of Environmental Quality to respond to any plan submitted within sixty days from the date of submission. No plan shall be adopted by the court without the court having provided the Department of Natural Resources or the Department of Environmental Quality an opportunity to provide input into the formulation of the plan and without the court having given consideration to any input provided by the departments."

AMENDMENT NO. 10

On page 4, line 17, after "payments" delete "awarded," and on line 18, after "interest thereon," insert "awarded"

AMENDMENT NO. 11

On page 4, line 19, after "pollution" delete the remainder of the line and delete lines 20 and 21 in their entirety and insert the following: "that impacts or threatens to impact usable ground water shall be paid exclusively into the registry of the court as provided in this Section."

AMENDMENT NO. 12

On page 5, line 24, after "attorney fees" insert "attributable to producing that portion of evidence that directly relates to the claims of contamination or pollution that impacts or threatens, to impact usable ground water."

AMENDMENT NO. 13

On page 6, line 2, delete "pursuant" and on line 3, delete "to Subsections C and D of this Section"

AMENDMENT NO. 14

On page 6, line 11, after "appeal. The" insert "review or"

AMENDMENT NO. 15

On page 6, delete lines 14 through 25 in their entirety and insert the following:

"H. The provisions of this Section are intended to ensure evaluation and remediation of usable ground water. When the court does not find contamination or pollution or a threat of contamination or pollution to usable ground water the court may dismiss the Department of Natural Resources and the Department of Environmental Quality from the litigation."

AMENDMENT NO. 16

On page 7, line 12, delete "a written" and insert "an expressed or implied"

AMENDMENT NO. 17

On page 7, delete lines 14 through 22 in their entirety and on line 23 change "K" to "J"

AMENDMENT NO. 18

On page 8, line 7, change "L" to "K"

On motion of Senator Adley, the amendments were adopted.

The bill was read by title. Senator Adley moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Adley	Fontenot	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	
Dupre	Lentini	
Total—34		

**NAYS**

Fields	Gautreaux	Ullo
Total—3		

**ABSENT**

Lambert	McPherson
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Mr. President in the Chair**

**HOUSE BILL NO. 2026 (Substitute for House Bill No. 408 by Representative Martiny)—**  
BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 27:311(F), relative to the Video Draw Poker Devices Control Law; to exempt device owners from maintaining a minimum balance or security under certain conditions; to provide penalties; and to provide for related matters.

The bill was read by title. Senator Cravins moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	Mount
Bean	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Holden	Tarver
Chaisson	Hollis	Theunissen
Cravins	Hoyt	Thomas
Dean	Irons	Ullio
Dupre	Johnson	
Fields	Jones, CD	
Total—28		

**NAYS**

Mr. President	Ellington	Malone
Barham	Jones, B	Michot
Dardenne	Lentini	Smith
Total—9		

**ABSENT**

Lambert	McPherson
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Personal Privilege**

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 2026. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**HOUSE BILL NO. 2027 (Substitute for House Bill No. 466 by Representative Martiny)—**  
BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 27:317 and to enact R.S. 27:302.1, relative to the Video Draw Poker Devices Control Law; to provide that certain parts for video draw poker devices can be purchased from sources other than licensed manufacturers and distributors; to delete residence and domicile requirements for certain licensees; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 2027 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "27:317" insert "and 318(A)"

AMENDMENT NO. 2

On page 1, line 9, after "27:317" delete "is" and insert "and 318(A) are"

AMENDMENT NO. 3

On page 2, after line 24, insert the following:

"§318. Distribution of device revenues; particular licensed establishments; pari-mutuel wagering facilities

A.(1) ~~When the~~ The owner of the licensed establishment is ~~not the licensed device owner of the devices placed in or on his premises; one-half of the monthly net device revenues received by the establishment owner, after deduction of one-twelfth the estimated total of the annual establishment fees plus one hundred dollars per device per month and any fee or tax levied by the local governing authority; shall pay twenty percent of the net device revenue derived from the operation of devices at that licensed establishment to be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183.~~ Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.

(2) ~~When the owner of the licensed establishment is the licensed device owner of the devices placed in or on his premises, one-half of the monthly net device revenues received by the establishment owner in excess of five hundred dollars shall be used to supplement purses for horsemen as provided in Subsection B of this Section and shall be added to those presently available under R.S. 4:183. Such monies shall be made available for use as purses monthly, prior to the twentieth day of the month following the month in which they are earned.~~

\* \* \*

On motion of Senator Cravins, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 2027 by Representative Martiny

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 11, 2003.

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 27:317" and before the comma "," delete "and to enact R.S. 27:302.1" and insert in lieu thereof "(B)"

AMENDMENT NO. 3

On page 1, line 3, after "Law;" delete the remainder of the line and delete line 4 and at the beginning of line 5 delete "licensed manufacturer and distributor; to delete" and insert in lieu thereof "to provide with respect to"

AMENDMENT NO. 4

On page 1, line 9, after "R.S. 27:317" and before "is" insert "(B)"

AMENDMENT NO. 5

Delete Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 11, 2003.

AMENDMENT NO. 6

June 20, 2003

Delete Senate Committee Amendment No. 5 proposed by the Senate Committee on Judiciary B and adopted by the Senate on June 11, 2003.

## AMENDMENT NO. 7

On page 2, delete lines 2 through 13 and insert in lieu thereof

\*\* \* \*

On motion of Senator Cravins, the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adley	Hines	Marionneaux
Bajoie	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Fields	Lentini	
Gautreaux	Malone	
Total—28		

### NAYS

Mr. President	Dean	Smith
Barham	Ellington	
Chaisson	Michot	
Total—7		

### ABSENT

Fontenot	Lambert
Heitmeier	McPherson
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 2030 (Substitute for House Bill No. 1083 by Representative Powell)—

BY REPRESENTATIVE POWELL

### AN ACT

To enact Subpart B-33 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.611 through 130.619, to create the Hammond Area Economic and Industrial Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governing authority of the district and its powers and duties; to provide relative to taxes to be levied and collected in the district; to provide relative to the issuance of bonds; and to provide for related matters.

The bill was read by title. Senator Schedler moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux

Bajoie	Gautreaux	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		

### NAYS

Dean  
Total—1

### ABSENT

Heitmeier	Lambert	McPherson
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 2032 (Substitute for House Bill No. 1593 by Representative Flavin)—

BY REPRESENTATIVE FLAVIN

### AN ACT

To enact Subpart M of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:140.201 through 140.207, relative to physical development of parishes and municipalities; to provide with respect to the creation of a metropolitan planning commission in the parish of Calcasieu; to provide for the creation, organization, powers, and duties of a metropolitan planning commission; to provide with respect to the regulation of the subdivision and zoning of land in the metropolitan planning area; to provide for the adoption of ordinances prescribing minimum construction, health, and sanitation standards; to provide for joint or correlated action by the governing authority of any municipality within the parish and the police jury of Calcasieu Parish in the adoption of ordinances or other measures; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

### NAYS

Total—0

### ABSENT

Heitmeier	Lambert	McPherson
-----------	---------	-----------

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

**Called from the Calendar**

Senator Dupre asked that Senate Bill No. 28 be called from the Calendar at this time.

**SENATE BILL NO. 28—**  
BY SENATOR DUPRE AND REPRESENTATIVE PITRE  
AN ACT

To enact R.S. 47:463.111, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "America's WETLAND" prestige license plate to promote Louisiana's coastal wetlands and coastal wetland restoration; to provide relative to the fee for such plates; to provide for the design of such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Dupre asked that Senate Bill No. 287 be called from the Calendar at this time.

**SENATE BILL NO. 287—**  
BY SENATOR DUPRE  
AN ACT

To amend and reenact R.S. 32:295(A),(B)(2), (C), and (D); and to enact R.S. 32:295(B)(3) and (I), relative to child passenger restraint systems in motor vehicles; to provide for the age at which certain child restraint systems shall be used; to provide for definitions; to provide for situations in which passenger side airbag systems are activated; to provide for an effective date; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Cravins asked that Senate Bill No. 447 be called from the Calendar at this time.

**SENATE BILL NO. 447—**  
BY SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 30:2154(B)(7), and to enact R.S. 30:2154(B)(6), relative to the disposal of solid waste; to require local governing authorities in parishes with populations between seventy-seven thousand and eighty-eight thousand; to obtain an annual permit from the Department of Environmental Quality

before disposing of solid waste in a location outside the boundaries of the governing authority; to provide for criterion; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Heitmeier asked that Senate Bill No. 668 be called from the Calendar at this time.

**SENATE BILL NO. 668—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 45:844.12(4), relative to "telephone solicitation"; to provide an exception for telemarketing calls that do not complete a sale during the call; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Malone asked that Senate Bill No. 883 be called from the Calendar at this time.

**SENATE BILL NO. 883—**  
BY SENATOR MALONE  
AN ACT

To enact R.S. 44:4(37), relative to records of the office of conservation; to exempt certain records from public records laws; to provide terms and conditions; and to provide for related matters.

On motion of Senator Malone, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Adley asked that Senate Bill No. 1051 be called from the Calendar at this time.

**SENATE BILL NO. 1051—**  
BY SENATOR ADLEY  
AN ACT

To amend and reenact R.S. 27:93(A)(1), (2)(introductory paragraph) and (a), (7)(a)(b)(c)(d) and (e), (8)(a)(b)(c)(d) and (e), and 93(B), to enact R.S. 27:93(A)(7)(f) and (9), and to repeal R.S. 27:93(A)(2)(e), (f), and (i), relative to the Louisiana Gaming Control Law; to provide with respect to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide for admission fees for riverboats; to provide for allocation of funds derived from riverboat boarding fees on certain riverboats in Bossier Parish; to provide for the levying of boarding fees in Bossier Parish in certain cases; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and withdrawn from the files of the Senate.

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 1670 in the Committee on Health and Welfare without the required 24 hour notice.

**House Bills and Joint Resolutions on  
Third Reading  
and Final Passage, Resumed**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE BILL NO. 107—**

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 9:3577.3(C), relative to credit card solicitation; to prohibit credit card issuers from offering inducements to students; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		

**NAYS**

Total—0

**ABSENT**

Dean	Lambert
Hines	McPherson
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 404—**

BY REPRESENTATIVES HUDSON, CURTIS, LAFLEUR, MORRELL, NEVERS, JACK SMITH, TRICHE, WELCH, WINSTON, BRUCE, ROMERO, AND SNEED

AN ACT

To enact R.S. 14:79.2 and R.S. 46:2143, relative to domestic abuse assistance; to authorize the use of electronic monitoring equipment in certain domestic violence cases; to require the court to specify the terms of electronic monitoring; to provide for minimum requirements of electronic monitoring; to create the crime of tampering with electronic monitoring equipment; to provide for criminal penalties; and to provide for related matters.

The bill was read by title. Senator Irons moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Marionneaux
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Bean	Hollis	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Jones, CD	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—34		

**NAYS**

Total—0

**ABSENT**

Dean	Hines	McPherson
Fontenot	Lambert	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 439—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(c)(iii), relative to the Tuition Opportunity Program for Students Performance Award; to provide eligibility requirements for an initial award; to provide conditions and limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator B. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator BJones to Engrossed House Bill No. 439 by Representative Martiny

**AMENDMENT NO. 1**

On page 4, between lines 4 and 5, insert the following:

"Section 2. The provisions of this Act shall become null and void and terminate on June 30, 2006."

**AMENDMENT NO. 2**

On page 4, line 5, change "Section 2." to "Section 3."

On motion of Senator B. Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Theunissen sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Theunissen to Engrossed House Bill No. 439 by Representative Martiny

**AMENDMENT NO. 1**

On page 3, line 4, change "5.0" to "5-0 4.0"

**AMENDMENT NO. 2**

On page 3, delete lines 17 through 26 and on page 4, delete lines 1 through 3



On motion of Senator Theunissen, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Mount
Bean	Heitmeier	Romero
Boissiere	Holden	Smith
Cain	Hollis	Tarver
Chaisson	Hoyt	Theunissen
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones, B	
Dupre	Jones, CD	
Total—34		

#### NAYS

Total—0

#### ABSENT

Hines	McPherson	Schedler
Lambert	Michot	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 515—

BY REPRESENTATIVE PINAC

#### AN ACT

To enact R.S. 14:331.1 and to repeal Part XV of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3573.1 through 3573.16, relative to credit repair services; to prohibit the business of credit repair services in the state; to provide for exceptions; to provide for penalties for violations; to provide relative to the Office of Financial Institutions; to repeal licensing and regulatory requirements; and to provide for related matters.

### Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 515 by Representative Pinac

#### AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on June 12, 2003, on page 1, line 22 between "B." and "The Legislature of Louisiana" insert the following: "The Legislature of Louisiana recognizes the right of the citizens of the state to utilize the services of qualified credit repair organizations for advice and assistance in improving their credit matters."

#### AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on June 12, 2003, on page 3, delete lines 37 through 39.

#### AMENDMENT NO. 3

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Commerce, Consumer Protection, and International Affairs and adopted by the Senate on June 12, 2003, on page 4, at the beginning of line 44 delete "registration" and insert "license"

On motion of Senator Hollis, the amendments were adopted.

### Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 515 by Representative Pinac

#### AMENDMENT NO. 1

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on June 12, 2003, on page 5, line 17 thereof, change "'is found guilty after" to "enters"

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Total—35		

#### NAYS

Total—0

#### ABSENT

Mr. President	Lambert
Hines	McPherson
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Senator Ellington in the Chair

## HOUSE BILL NO. 576—

BY REPRESENTATIVES LEBLANC, DEWITT, HAMMETT, AND MURRAY  
A JOINT RESOLUTION

Proposing to amend Article III, Section 11 of the Constitution of Louisiana, relative to the legislative auditor; to prohibit certain political activities by the legislative auditor and his employees; to prohibit any former legislative auditor from qualifying for elected public office for a certain time period; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

Adeley	Ellington	Jones, CD
Bajoie	Gautreaux	Lentini
Barham	Heitmeier	Romero
Bean	Holden	Schedler
Boissiere	Hollis	Tarver
Chaisson	Hoyt	Thomas
Dardenne	Johnson	Ullo
Dupre	Jones, B	
Total—23		

### NAYS

Cain	Fontenot	Michot
Cravins	Irons	Mount
Dean	Malone	Smith
Fields	Marionneaux	Theunissen
Total—12		

### ABSENT

Mr. President	Lambert
Hines	McPherson
Total—4	

The Chair declared the bill failed to pass.

## Notice of Reconsideration

Senator Ullo, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

## HOUSE BILL NO. 725—

BY REPRESENTATIVE BOWLER  
AN ACT

To amend and reenact R.S. 22:636.1(B)(2), 636.2(D), 1466(A), and 1471 and to enact R.S. 22:636.2(E), 636.9, and 636.10, relative to the cancellation of insurance policies; to provide for property and casualty insurance; to provide for automobile insurance; to provide for homeowner's insurance; to provide for premiums, deductibles, and surcharges; and to provide for related matters.

## Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 725 by Representative Bowler

### AMENDMENT NO. 1

Delete Senate Committee Amendments No.1 through No. 7 proposed by the Senate Committee on Insurance and adopted by the Senate on June 12, 2003

### AMENDMENT NO. 2

On page 1, line 2, delete "1471 and" and insert in lieu thereof the following: "R.S. 40:1428(A)(4)(b)(i),"

### AMENDMENT NO. 3

On page 1, delete line 3 in its entirety and insert in lieu thereof "relative to"

### AMENDMENT NO. 4

On page 1, line 4, delete "cancellation of" and after "policies;" insert "to provide for cancellation of policies;"

### AMENDMENT NO. 5

On page 1, line 7, after "surcharges;" insert "to provide for investigations involving fraud and subsequent cancellation of policies;"

### AMENDMENT NO. 6

On page 1, line 9, change "1466(A), and 1471 are" to "and 1466(A) are"

### AMENDMENT NO. 7

On page 1, line 10, and after "reenacted" delete the remainder of the line in its entirety

### AMENDMENT NO. 8

On page 1, line 11, delete "hereby enacted"

### AMENDMENT NO. 9

On page 2, line 6, after "by" insert "the inclusion of a"

### AMENDMENT NO. 10

On page 2, line 7, delete "increasing the existing" and delete "by up to"

### AMENDMENT NO. 11

On page 2, line 8, delete "five times"

### AMENDMENT NO. 12

On page 2, delete lines 25 and 26 in their entirety

### AMENDMENT NO. 13

On page 3, delete lines 1 through 18 in their entirety

### AMENDMENT NO. 14

On page 4, line 5, after "period" insert "." and delete the remainder of the line in its entirety

### AMENDMENT NO. 15

On page 4, delete lines 7 through 18 in their entirety and insert in lieu thereof the following:

"Section 2. R.S. 40:1428(A)(4)(b)(i) is hereby amended and reenacted to read as follows:

§1428. Special assessment; creation of fund

A.(1) \* \* \*

(4)(a) \* \* \*

(b) Except as otherwise provided in Subparagraph (a) of this Paragraph, the fees collected shall be used solely for the purposes of this Subpart and shall be allocated as follows:

(i) Seventy-five percent of the fees collected shall be allocated to the insurance fraud investigation unit within the office of state police. After paying the expenses of the Insurance Fraud Investigation Unit within the office of state police, all remaining monies derived from fees, not to exceed three hundred thousand dollars annually, shall be allocated to the State Police Pension and Retirement Systems to pay for the benefits granted by the provisions

of the Acts which originate as Senate Bill Nos. 281 and 283 of the 2003 regular legislative session.

\* \* \*

Senator Cain asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

On motion of Senator Boissiere, the bill was read by title and returned to the Calendar, subject to call.

#### HOUSE BILL NO. 802—

BY REPRESENTATIVE TRICHE

AN ACT

To enact Subpart B of Part VII of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1485.1 through 1485.8, relative to carnivals and amusements; to create the Louisiana Carnival and Amusement Rider Safety Act; to require riders of carnival and amusement rides to notify carnival and amusement owners of injuries sustained on rides; to provide for a code of conduct for riders of carnival and amusement rides; to require owners of certain carnivals and amusements to post notices; to provide for criminal penalties for violations of certain rules; and to provide for related matters.

#### Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 802 by Representative Triche

##### AMENDMENT NO. 1

On page 7, line 3, after "upon conviction" insert "of a first offense"

##### AMENDMENT NO. 2

On page 7, line 4, delete "five hundred" and insert "twenty five"

##### AMENDMENT NO. 3

On page 7, line 4, after "dollars" insert "and for subsequent convictions, up to one hundred dollars in fines"

On motion of Senator Heitmeier, the amendments were adopted.

The bill was read by title. Senator Chaisson moved final passage of the amended bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Gautreaux	Mount
Adley	Heitmeier	Schedler
Bajoie	Hollis	Smith
Barham	Hoyt	Tarver
Boissiere	Johnson	Theunissen
Chaisson	Jones, B	Thomas
Cravins	Jones, CD	Ullo
Dupre	Lentini	
Fontenot	Michot	
Total—25		

##### NAYS

Cain	Fields	Marionneaux
------	--------	-------------

Dardenne  
Dean  
Ellington  
Total—10

Holden	Romero
Irons	
Malone	

ABSENT

Bean  
Hines  
Total—4

Lambert  
McPherson

The Chair declared the amended bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 892—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 51:2453(4) and to enact R.S. 47:6007(C)(4), relative to economic development incentives; to provide that certain out-of-state employees locating in Louisiana qualify as "new direct jobs" when determining the amount of rebates under the Quality Jobs Rebate Program; to provide relative to certain transactions of motion picture investors; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lentini	Ullo
Total—33		

##### NAYS

Dean  
Total—1

ABSENT

Mr. President	Johnson	McPherson
Hines	Lambert	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 895—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:1483(11), relative to the definition of major office for the purposes of the Campaign Finance Disclosure Act; to remove the exclusion of certain judicial seats from the definition of "major office"; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Total—32		

**NAYS**

Fontenot  
Total—1

**ABSENT**

Mr. President	Lambert	Romero
Hines	McPherson	Tarver
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 914—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1331(A), relative to the Louisiana State Police Retirement System; to provide for cost-of-living adjustments; to specify the circumstances under which such adjustments may be granted; to provide for the calculation of such adjustments; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—33		

**NAYS**

Dean  
Total—1

**ABSENT**

Mr. President	Lambert	Tarver
Hines	McPherson	

Total—5

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 973—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To enact Part XII of Chapter 2 of Code Title XII of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3568, and R.S. 9:3571.1(H)(3) and (I) through (L), relative to consumer credit; to provide for protection of victims of identity theft; to provide for police reports; to provide for information to be made available by creditors; to provide for security alerts; to provide for damages; and to provide for related matters.

The bill was read by title. Senator Hoyt moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones, B	Ullo
Dupre	Jones, CD	
Ellington	Lentini	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Lambert	Tarver
Hines	McPherson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Hoyt moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1054—**

BY REPRESENTATIVE LANCASTER

**AN ACT**

To amend and reenact R.S. 18:1505.2(K)(2), 1511.3(C), and 1532 and to enact R.S. 18:1491.1(B)(9) and 1505.2(K)(3), relative to the campaign finance laws; to provide for certain information to be included in the statement of organization of a political committee; to prohibit certain political committees from accepting contributions in excess of certain limits from any person; to provide for copies of reports filed with the supervisory committee to be provided to the public upon request; to exempt political committees from filing election day expenditure reports if no election day expenditures are made; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Chaisson sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Chaisson to Reengrossed House Bill No. 1054 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 3, between "1505.2(K)(3)," and "relative" insert "and to repeal R.S. 18:1505.2(L)(3)(a)(ii),"

AMENDMENT NO. 2

On page 1, at the end of line 8, after "request;" insert "to repeal certain provisions that apply to any person who holds a license to conduct gaming activities on a riverboat;"

AMENDMENT NO. 3

On page 4, between lines 21 and 22, insert the following:

"Section 2. R.S. 18:1505.2(L)(3)(a)(ii) is hereby repealed in its entirety."

AMENDMENT NO. 4

On page 4, line 22, change "Section 2." to "Section 3."

Senator Chaisson moved adoption of the amendments.

Senator Hollis objected.

## ROLL CALL

The roll was called with the following result:

## YEAS

Bean	Chaisson	Holden
Boissiere	Cravins	Tarver
Total—6		

## NAYS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	Michot
Bajoie	Hollis	Mount
Barham	Hoyt	Romero
Cain	Irons	Schedler
Dardenne	Johnson	Smith
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lentini	
Fields	Malone	
Total—28		

## ABSENT

Fontenot	Lambert	Thomas
Hines	McPherson	
Total—5		

The Chair declared the amendments were rejected.

The bill was read by title. Senator Chaisson moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Bean	Holden	Mount

Boissiere	
Cain	
Chaisson	
Cravins	
Dardenne	
Dupre	
Total—33	

Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD

Romero
Schedler
Smith
Tarver
Theunissen
Ullo

## NAYS

Dean
Total—1

## ABSENT

Fontenot
Hines
Total—5

Lambert
McPherson

Thomas
--------

The Chair declared the bill was passed. The title was read and adopted. Senator Chaisson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## Mr. President in the Chair

## HOUSE BILL NO. 1055—

BY REPRESENTATIVE LANCASTER  
AN ACT

To repeal R.S. 49:996(10), relative to the duties of the director of the division of administrative law; to remove the requirement that the director assure that agencies are properly promulgating rules.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Ullo
Dean	Jones, CD	
Dupre	Lentini	
Total—34		

## NAYS

Total—0
---------

## ABSENT

Fontenot
Hines
Total—5

Lambert
McPherson

Thomas
--------

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1199—

BY REPRESENTATIVE LEBLANC  
AN ACT

To enact R.S. 42:460, relative to state administration; to authorize the promulgation of rules relative to the recoupment of

overpayments to certain state employees; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Ullo
Dean	Jones, CD	
Dupre	Lentini	
Total—34		

#### NAYS

Total—0

#### ABSENT

Fontenot	Lambert	Thomas
Hines	McPherson	
Total—5		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1202—

BY REPRESENTATIVES FUTRELL AND MONTGOMERY  
AN ACT

To amend and reenact R.S. 37:2150, 2150.1(4), 2156.1(C), (F), and (H), 2156.2(D), and 2159(D) and to enact R.S. 37:2156.1(M), relative to the state Licensing Board for Contractors; to provide for legislative intent; to provide for licensure and regulation of persons who perform heating, ventilation, air conditioning, and refrigeration work; and to provide for related matters.

### Floor Amendments Sent Up

Senator Hoyt sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hoyt to Reengrossed House Bill No. 1202 by Representatives Futrell and Montgomery

#### AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 4, proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on June 12, 2003.

On motion of Senator Hoyt, the amendments were adopted.

### Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 1202 by Representative Futrell

#### AMENDMENT NO. 1

On page 4, between lines 12 and 13, insert the following:

"(f) An HVACR license shall not apply to a retailer, who, in the ordinary course of business, enters into a transaction with a buyer in which the retailer of a good and the services necessary for the installation of the good, contracts with a licensed contractor to provide the installation services."

Senator Michot moved adoption of the amendments.

Senator Dean objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Jones, CD
Adley	Fields	Lentini
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Ullo
Total—27		

#### NAYS

Dean  
Total—1

#### ABSENT

Bean	Hollis	McPherson
Ellington	Lambert	Schedler
Fontenot	Malone	Thomas
Hines	Marionneaux	
Total—11		

The Chair declared the amendments were adopted.

### Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 1202 by Representative Futrell

#### AMENDMENT NO. 1

On page 3, line 8, after "cost is" change "one dollar" to "two thousand five hundred dollars"

#### AMENDMENT NO. 2

On page 3, line 19, after "is" change "one dollar" to "two thousand five hundred dollars"

#### AMENDMENT NO. 3

On page 4, line 24, after "is" change "one dollar" to "two thousand five hundred dollars"

#### AMENDMENT NO. 4

On page 8, line 20, after "is" delete "one" and on line 21, delete "dollar" and insert "two thousand five hundred dollars"

June 20, 2003

AMENDMENT NO. 5

On page 9, line 11, after "shall be" delete "less than" and insert "between two thousand five hundred dollars and"

Senator Barham moved adoption of the amendments.

Senator Hoyt objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Dean	Malone
Bajoie	Fields	Marionneaux
Barham	Heitmeier	Romero
Bean	Holden	Schedler
Boissiere	Hollis	Smith
Cain	Irons	Tarver
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Ullo
Dardenne	Jones, CD	
Total—26		

**NAYS**

Dupre	Hoyt	Mount
Gautreaux	Michot	
Total—5		

**ABSENT**

Mr. President	Hines	McPherson
Ellington	Lambert	Thomas
Fontenot	Lentini	
Total—8		

The Chair declared the amendments were adopted.

On motion of Senator Hoyt, the amended bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1231—**

BY REPRESENTATIVES FUTRELL AND NEVERS

**AN ACT**

To amend and reenact R.S. 17:427.2(B), relative to the Critical Teacher Shortage Incentive Program; to provide relative to the definition of "newly certified teacher" for purposes of the program; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Ullo
Dupre	Lentini	
Total—32		

**NAYS**

Total—0

ABSENT

Dean	Hines	Thomas
Ellington	Lambert	
Fontenot	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1348—**

BY REPRESENTATIVE PITRE

**AN ACT**

To amend and reenact R.S. 34:3254(C), relative to the Grand Isle Port Commission; to provide with respect to the maximum amount of indebtedness which may be incurred by the commission; to provide that indebtedness incurred by the commission shall not be guaranteed by the town of Grand Isle; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Adley	Fields	Marionneaux
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Holden	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Ullo
Dean	Lentini	
Total—32		

**NAYS**

Total—0

ABSENT

Ellington	Hollis	Thomas
Fontenot	Lambert	
Hines	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Senator Fields in the Chair****HOUSE BILL NO. 1350—**

BY REPRESENTATIVES DOWNER, WALSWORTH, AND BALDONE

**AN ACT**

To amend and reenact R.S. 36:4(A)(introductory paragraph), to enact R.S. 36:4(A)(21) and Chapter 21-A of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:781 through 787, and to repeal R.S. 36:4(B)(1)(o), to create and provide for the Department of Veterans Affairs in the executive branch of state government; to provide for the department and its officers and offices, and their powers, duties, functions, and responsibilities; to provide for the transfer of the Veterans'

Affairs Commission to the department; to abolish the existing Department of Veterans Affairs in the office of the governor; to provide for the effectiveness of the Act; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Dupre	Lentini	
Total—29		

#### NAYS

Total—0

#### ABSENT

Bean	Hines	McPherson
Boissiere	Hollis	Thomas
Ellington	Lambert	
Fontenot	Marionneaux	
Total—10		

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1388—

BY REPRESENTATIVES LANCASTER AND BOWLER  
AN ACT

To amend and reenact Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:991 through 999.25, relative to the creation and operation of a division of administrative law; to provide for the employment, qualifications, duties, and authority of administrative law judges; to provide for exceptions; to make technical changes; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Dupre	Lentini	

Total—32

#### NAYS

Total—0

#### ABSENT

Cravins	Hines	Thomas
Ellington	Lambert	
Fontenot	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1393—

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 37:919 and to enact R.S. 37:918(18), relative to the Louisiana State Board of Nursing; to provide for the authority of the board relative to the purchase or sale of immovable property and any improvements; to provide for the domicile of the offices that administer the provisions adopted by the board; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Total—33		

#### NAYS

Total—0

#### ABSENT

Ellington	Hines	McPherson
Fontenot	Lambert	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1397—

BY REPRESENTATIVE DIEZ  
AN ACT

To enact R.S. 38:2212(A)(3)(f), relative to public contracts; to prohibit allowances in certain contracts; and to provide for related matters.

### Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS



Amendments proposed by Senator Romero to Engrossed House Bill No. 1397 by Representative Diez

**AMENDMENT NO. 1**

Delete Senate Committee Amendment Nos. 1, 2 and 3 proposed by the Senate Committee on Transportation, Highways & Public Works and adopted by the Senate on June 12, 2003.

**AMENDMENT NO. 2**

On page 1, delete line 2 and insert the following:

"To amend and reenact R.S. 38:2212(A)(3)(d) and to enact R.S. 38:2212(A)(3)(f) and (g), relative to public contracts; to provide for contracts providing construction management services; to provide relative to attendance at pre-bid conferences; to restrict"

**AMENDMENT NO. 3**

On page 1, delete line 5 and insert the following:

"Section 1. R.S. 38:2212(A)(3)(d) is hereby amended and reenacted and R.S. 38:2212(A)(3)(f) and (g) is hereby enacted to read as follows:"

**AMENDMENT NO. 4**

On page 1, between lines 11 and 12, insert the following:

"(d)(1) When a design professional or public entity mandates attendance by bidders at pre-bid conferences as a prerequisite to bid, the date, place, and time of the pre-bid conference shall be stated in the first advertisement notice.

(2) All prospective bidders in orphan well plug and abandonment program within the Louisiana Department of Natural Resources shall be present at the beginning of the pre-bid conference and shall remain in attendance for the duration of the conference. Any prospective bidder who fails to attend the conference or remain for the duration shall be prohibited from submitting a bid for the project.

\* \* \*

Senator Romero moved adoption of the amendments.

Senator Malone objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields	Lentini
Barham	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Total—24		

**NAYS**

Dean	Malone
Total—2	

**ABSENT**

Mr. President	Hines	McPherson
Adley	Hollis	Tarver
Bean	Jones, B	Thomas
Ellington	Lambert	
Fontenot	Marionneaux	
Total—13		

The Chair declared the amendments were adopted.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dupre	Malone
Adley	Fields	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Boissiere	Holden	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones, CD	
Dean	Lentini	
Total—28		

**NAYS**

Total—0

**ABSENT**

Bean	Hollis	McPherson
Ellington	Jones, B	Tarver
Fontenot	Lambert	Thomas
Hines	Marionneaux	
Total—11		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1419—**

BY REPRESENTATIVE ERDEY

**AN ACT**

To amend and reenact R.S. 22:1404(3)(c)(i) and (d)(i), relative to insurance rates and defensive driving courses; to authorize the office of state police to promulgate rules and regulations to establish criteria and standards for the approval and certification of defensive driving courses; to authorize agreements for the funding of the approval and certification process for defensive driving courses; to provide for related matters.

The bill was read by title. Senator Malone moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Adley	Fields	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver
Dardenne	Jones, CD	Theunissen
Dupre	Lentini	Ullo
Total—30		

**NAYS**

Dean
Total—1

**ABSENT**

Mr. President  
Ellington  
Fontenot  
Total—8

Hines  
Irons  
Lambert

McPherson  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1476—

BY REPRESENTATIVES HEBERT, FRUGE, AND BOWLER  
AN ACT

To amend and reenact R.S. 22:1254 and 1255(A), relative to the use of courts by unauthorized insurers; to provide for approval; to provide for bonds; to provide for exemption; and to provide for related matters.

The bill was read by title. Senator Hainkel moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President  
Adley  
Barham  
Bean  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Total—29

Dupre  
Fields  
Gautreaux  
Heitmeier  
Holden  
Hollis  
Hoyt  
Johnson  
Jones, B  
Jones, CD

Lentini  
Malone  
Michot  
Mount  
Romero  
Smith  
Tarver  
Theunissen  
Ullo

#### NAYS

Bajoie  
Total—2

Irons

#### ABSENT

Ellington  
Fontenot  
Hines  
Total—8

Lambert  
Marionneau  
McPherson

Schedler  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Hainkel moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### HOUSE BILL NO. 1538—

BY REPRESENTATIVE TUCKER  
AN ACT

To amend and reenact R.S. 22:2010(C)(1) and to enact Part XII-B of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2036.1 through 2036.10, relative to health maintenance organizations; to implement risk-based capital requirements for health maintenance organizations; to provide with respect to the authority of the commissioner of insurance to enforce such requirements; to provide for hearings; to provide for confidentiality; to provide for immunity; to provide for regulations; and to provide for related matters.

### Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 1538 by Representative Tucker

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 22:2010(C)(1)" insert the following: ", 2010(G), and 2013(E) and (F)"

#### AMENDMENT NO. 2

On page 1, line 6, after "organizations;" insert the following: "to provide relative to the liquidation or windup of a health maintenance organization; to provide for the priority of payments from the estate of an insolvent health maintenance organization;"

#### AMENDMENT NO. 3

On page 1, line 11, change "R.S. 22:2010(C)(1) is" to "R.S. 22:2010(C)(1), 2010(G), and 2013(E) and (F) are"

#### AMENDMENT NO. 4

On page 2, between lines 7 and 8, insert the following:  
§2010. Protection against insolvency

\* \* \*

G. In the liquidation or windup of the affairs of the health maintenance organization, ~~the following schedule of preferences shall be followed by notwithstanding any provision of law to the contrary.~~ the commissioner shall assure any payments authorized by the Department of Insurance and issued prior to any order of liquidation are honored; thereafter, the following schedule of preferences shall be followed: by the commissioner:

(1) ~~Salaries of employees of the health maintenance organization up to two thousand five hundred dollars per employee.~~  
(2) ~~Unpaid federal and state employment and withholding taxes.~~  
(3) ~~Accrued annual license taxes due the state of Louisiana.~~  
(4) ~~Amounts due and owing providers.~~  
(5) ~~All other creditors based on date of claim. Where several claims arise on the same date, preference shall be given based on the date and time such claim was received by the commissioner.~~

(1) The commissioner's costs and expenses of administration, including unpaid federal and state employment withholding taxes.

(2) Compensation actually owing to employees other than officers of a health maintenance organization for services rendered within three months prior to the commencement of a proceeding against the health maintenance organization under this Part, but not exceeding two thousand five hundred dollars for such employee, shall be paid prior to the payment of any other debt or claim and in the discretion of the commissioner may be paid as soon as practicable after the proceeding has commenced. However, at all times the commissioner shall reserve such funds as will in his opinion be sufficient for the payment of all claims in Paragraphs (1) through (3) of this Subsection. This priority shall be in lieu of any other similar priority which may be authorized by law as to wages or compensation of such employees.

(3) Claims for covered benefits prior to cancellation that are filed within ninety days of an order of liquidation. The commissioner shall, within one hundred twenty days, present a plan for timely payment of such claims to the court for approval. The Department of Insurance shall not require refiling any claim received for covered benefits or provision of any proof of claim that would otherwise be applicable to non-benefit claims. The maximum amount paid shall not exceed the amount that would be paid under Title XVIII of the Social Security Act, 42 U.S.C. §301 et seq. The department shall establish reasonable amounts for any services or supplies covered under a health policy or contract for which an amount has not been determined under the federal Medicare program.

(4) Claims for unearned premiums or other premium refunds.  
(5) All other claims, including claims for covered benefits provided prior to cancellation that are not filed within ninety days of an order of liquidation.

\* \* \*

§2013. Suspension or revocation of certificate of authority

\* \* \*

E. Where a certificate of authority is revoked or in the liquidation or windup of the affairs of a health maintenance organization, the commissioner shall have the right to enforce, for the benefit of the enrollees, contract performance by any provider or other third party who had contracted with the health maintenance organization.

F. The commissioner is specifically empowered to take over and liquidate the affairs of any health maintenance organization experiencing financial difficulty at such time as he deems it necessary by applying to the Nineteenth Judicial District Court for permission to take over and fix the conditions thereof. The Nineteenth Judicial District Court shall have exclusive jurisdiction over any suit arising from such takeover and liquidation. He shall The commissioner shall be authorized to issue appropriate regulations to implement an orderly procedure to wind up the affairs of any financially troubled health maintenance organization.

\* \* \*

Senator Boissiere moved adoption of the amendments.

Senator Dean objected.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Bean	Hoyt	Schedler
Boissiere	Irons	Smith
Cain	Johnson	Tarver
Chaisson	Jones, B	Theunissen
Cravins	Jones, CD	Thomas
Dardenne	Lentini	Ullo
Dupre	Malone	
Fields	Marionneaux	
Total—31		

#### NAYS

Dean  
Total—1

#### ABSENT

Mr. President	Hines	McPherson
Ellington	Hollis	
Fontenot	Lambert	
Total—7		

The Chair declared the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Adley	Fields	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Bean	Holden	Mount
Boissiere	Hoyt	Romero
Cain	Irons	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Tarver

Dardenne  
Dupre  
Total—30

Jones, CD  
Lentini

Theunissen  
Ullo

#### NAYS

Dean  
Total—1

#### ABSENT

Mr. President  
Ellington  
Fontenot  
Total—8

Hines  
Hollis  
Lambert

McPherson  
Thomas

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Mr. President in the Chair

#### HOUSE BILL NO. 1547—

BY REPRESENTATIVE SALTER

#### AN ACT

To enact R.S. 51:2303(11) and 2315(D), relative to special treasury funds; to establish the Rural Economic Development Account within the Louisiana Economic Development Fund; to provide for deposit and use of monies in the account; to provide for definitions; to provide for effectiveness; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Marionneaux
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Bean	Hollis	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Ullo
Dardenne	Jones, CD	
Dupre	Malone	
Total—31		

#### NAYS

Dean  
Total—1

#### ABSENT

Ellington	Lambert	Thomas
Fontenot	Lentini	
Hines	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1555—

BY REPRESENTATIVE BOWLER

### AN ACT

To enact R.S. 22:3071(32), relative to medical necessity review organizations; to provide for definitions; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Dupre	Jones, CD
Adley	Fields	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Ullo
Dean	Jones, B	
Total—29		

#### NAYS

Total—0

#### ABSENT

Bean	Lambert	Tarver
Ellington	Marionneaux	Thomas
Fontenot	McPherson	
Hines	Romero	
Total—10		

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1562—

BY REPRESENTATIVE WALSWORTH

### AN ACT

To amend and reenact R.S. 37:3118(A)(1)(f), 3129(A), and 3130 and to enact R.S. 37:3115.1 and 3129(C), relative to auctioneers; to provide for educational requirements for auctioneers and auction businesses; to authorize auctioneers to bid on behalf of an absentee bidder under certain circumstances; to authorize the taking of bids by telephone or other electronic means; and to provide for related matters.

### Floor Amendments Sent Up

Senator B. Jones sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Engrossed House Bill No. 1562 by Representative Walsworth

#### AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 through 3 proposed by the Senate Committee on Commerce, Consumer Protection and International Affairs and adopted by the Senate on June 12, 2003.

#### AMENDMENT NO. 2

Delete Amendment No. 1 proposed by Legislative Bureau and adopted by the Senate on June 13, 2003.

On motion of Senator B. Jones, the amendments were adopted.

The bill was read by title. Senator Smith moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Total—30		

#### NAYS

Cain  
Total—1

#### ABSENT

Boissiere	Hines	McPherson
Ellington	Lambert	Thomas
Fontenot	Lentini	
Total—8		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1584—

BY REPRESENTATIVES WELCH, CAZAYOUX, GALLOT, GLOVER, GUILLORY, L. JACKSON, M. JACKSON, KENNEY, LUCAS, MURRAY, TOWNSEND, AND WRIGHT AND SENATORS IRONS AND TARVER

### AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191, relative to state funds; to establish the Community-based Primary Health Care Initiative Fund in the state treasury; to provide for the deposit of monies into the fund; to provide for uses of monies in the fund; to provide for grants from the fund to community health centers for operations and various community health programs and other purposes; to create the Community-based Primary Health Care Initiative within the Department of Health and Hospitals; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver

June 20, 2003

Dardenne  
Dupre  
Total—30

Jones, B  
Jones, CD

Theunissen  
Ullo

NAYS

Dean  
Total—1

ABSENT

Bean  
Ellington  
Fontenot  
Total—8

Hines  
Lambert  
Lentini

McPherson  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1681—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 37:1449(A) and (B), relative to real estate; to require registrants to provide copies of certain documents to parties of real estate transactions; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Bean  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Total—32

Fields  
Gautreaux  
Heitmeier  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lentini

Malone  
Marionneaux  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Dean  
Total—1

ABSENT

Ellington  
Fontenot  
Total—6

Hines  
Lambert

McPherson  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1688—

BY REPRESENTATIVE LAFLEUR

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to compensation of commissioners and commissioners-in-charge; to provide for commissioners and commissioners-in-charge to be paid timely for their services on election day; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

#### HOUSE BILL NO. 1690—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:81(A)(1) and (2) and (B)(2) and (4), 82(B)(4), (C), (D)(4), (6), and (10), and (E), and 83(A)(1), relative to the Louisiana Infrastructure Bank; to authorize loans from the bank to fund Department of Transportation and Development approved infrastructure projects of public entities; to require the state treasurer to serve as president and chairman of the board; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham  
Boissiere  
Cain  
Chaisson  
Cravins  
Dardenne  
Dean  
Dupre  
Total—32

Fields  
Gautreaux  
Heitmeier  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Jones, B  
Jones, CD  
Lentini

Malone  
Marionneaux  
Michot  
Mount  
Romero  
Schedler  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Bean  
Ellington  
Fontenot  
Total—7

Hines  
Lambert  
McPherson

Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### HOUSE BILL NO. 1708—

BY REPRESENTATIVES HAMMETT AND FAUCHEUX

AN ACT

To enact Part V of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1950.1 and 1950.2, relative to historic roads and Louisiana byways; to designate the Louisiana Great River Road as a Louisiana byway; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  
Adley  
Bajoie  
Barham

Fields  
Gautreaux  
Heitmeier  
Holden

Malone  
Marionneaux  
Michot  
Mount

Bean	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Ullo
Dupre	Lentini	
Total—32		

NAYS

Dean  
Total—1

ABSENT

Ellington	Hines	McPherson
Fontenot	Lambert	Thomas
Total—6		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1838—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 9:1131.2(20) and (22), 1131.4(A), (B), (C)(2), (5), and (6), and (D), 1131.8, 1131.9(B) and (C), 1131.10.1, 1131.12(B), (C)(3), (D)(introductory paragraph), (E)(6), (F), and (G)(2) and (3), 1131.13(A) (B), and (E), 1131.20(B), (C), (D), (J), and (K), 1131.21(B) and (C), 1131.23(A)(introductory paragraph) and (G), 1131.28(A) and R.S. 37:1437.1(B)(1)(a) and (C), to enact R.S. 9:1131.3(E) through (H), 1131.4(F), 1131.9.1, 1131.9.2, 1131.12(D)(3) through (7), 1131.16.1 and R.S. 37:1437.1(G), and to repeal R.S. 9:1131.4(C)(7) through (13), 1131.10, 1131.12(E)(14) and (18), 1131.12(G)(4) through (8), 1131.13(F), 1131.14, 1131.15, 1131.16, 1131.20(E) through (I), 1131.21(D), and 1131.28(B) and (C), relative to the Louisiana Timesharing Act; to provide for various revisions to the Act; to repeal certain provisions of the Act; and to provide for related matters.

## Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 1838 by Representative Pinac

### AMENDMENT NO. 1

On page 4, line 12, change "situated state" to "state in which the plan is located"

### AMENDMENT NO. 2

On page 10, lines 4 and 5, change "the effective date of this legislation" to "August 30, 1983"

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Irons moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Michot

Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Bean	Hollis	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Chaisson	Johnson	Theunissen
Cravins	Jones, B	Ullo
Dardenne	Jones, CD	
Dean	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Dupre	Hines	McPherson
Ellington	Lambert	Thomas
Fontenot	Marionneaux	
Total—8		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

## HOUSE BILL NO. 1840—

BY REPRESENTATIVE DARTEZ

AN ACT

To amend and reenact R.S. 37:1104(A), (B)(1) and (2)(a) and (C), 1116(B)(introductory paragraph) and (C)(introductory paragraph), 1120(A)(introductory paragraph), and 1121 and to repeal R.S. 37:1104(B)(2)(d) and 1106(A)(9), relative to licensed marriage and family therapists; to provide for changes to the content of the board; to delete the examination fee for marriage and family license applicants; to provide for replacements for vacancies that arise in the board; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

## ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	Michot
Bajoie	Holden	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Ullo
Dupre	Lentini	
Fields	Malone	
Total—31		

NAYS

Dean  
Total—1

ABSENT

Bean	Hines	Thomas
Ellington	Lambert	
Fontenot	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1889—**

BY REPRESENTATIVES LUCAS AND MURRAY  
AN ACT

To amend and reenact R.S. 9:3516(16)(b) and (23)(b), relative to the Louisiana Consumer Credit Law; to provide with respect to certain fees and charges; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1923—**

BY REPRESENTATIVES HUDSON AND NEVERS  
AN ACT

To enact R.S. 17:427.3, to provide for the Teach Louisiana First Program to reduce the shortage of certified teachers in certain schools; to provide for program purposes, eligibility criteria, incentive payments, reports, administration, and funding; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Dupre	Lentini	
Total—32		

**NAYS**

Total—0

**ABSENT**

Bean	Hines	Thomas
Ellington	Lambert	
Fontenot	McPherson	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1945—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 56:1948.1, 1948.3, 1948.4, and 1948.7(A) and to enact R.S. 36:209(X) and 802.18 and Part III-A of Chapter 9 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1948.11 through 1948.13, relative to the Louisiana Byways Program; to provide relative to selection of byways; to create the Louisiana Byways Commission as a state agency in the Department of Culture, Recreation and Tourism; to provide for the jurisdiction and purpose of the commission; to provide for membership of such commission, and its powers, duties, and functions; to provide for

legislative oversight of the commission; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Total—30		

**NAYS**

Dean  
Total—1

**ABSENT**

Bean	Hines	McPherson
Ellington	Lambert	Thomas
Fontenot	Marionneaux	
Total—8		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1984—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To enact R.S. 14:30(A)(8), relative to homicide; to provide with respect to the crime of first degree murder; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 1987—**

BY REPRESENTATIVE SCALISE  
AN ACT

To amend and reenact R.S. 15:831(A) and to enact R.S. 15:831(D), relative to medical care of inmates; to prohibit the use of state funds for medical costs associated with organ transplants; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1987 by Representative Scalise

**AMENDMENT NO. 1**

On page 2, line 14, after "murder" insert "or the crime of aggravated rape"

On motion of Senator Lentini, the amendments were adopted.

### Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1987 by Representative Scalise

##### AMENDMENT NO. 1

On page 2, at the end of line 7, insert the following: "However, nothing in this Section shall prohibit an inmate from donating his vital organs for transplant purposes."

On motion of Senator Bajoie, the amendments were adopted.

The bill was read by title. Senator Lentini moved final passage of the amended bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Gautreaux	Michot
Adley	Heitmeier	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Jones, B	Tarver
Dardenne	Jones, CD	Theunissen
Dean	Lentini	Ullo
Dupre	Malone	
Total—26		

##### NAYS

Fields	Holden	Johnson
Total—3		

##### ABSENT

Bajoie	Fontenot	McPherson
Bean	Hines	Thomas
Cravins	Lambert	
Ellington	Marionneaux	
Total—10		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

#### Personal Privilege

Senator C. Jones asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 1987. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

#### Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on House Bill No. 1987. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

#### Personal Privilege

Senator Boissiere asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on

House Bill No. 1987. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

##### HOUSE BILL NO. 1994—

BY REPRESENTATIVES WELCH, ALEXANDER, BALDONE, BRUCE, CROWE, DOERGE, FANNIN, FRITH, PINAC, GARY SMITH, AND SNEED  
AN ACT

To amend and reenact R.S. 37:1861(B)(introductory paragraph) and to enact R.S. 37:1869.1, relative to secondhand dealers; to prohibit the sale of certain articles of clothing by secondhand dealers; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

##### YEAS

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Total—30		

##### NAYS

Total—0

##### ABSENT

Bean	Gautreaux	Marionneaux
Ellington	Hines	McPherson
Fontenot	Lambert	Thomas
Total—9		

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

##### HOUSE BILL NO. 2002—

BY REPRESENTATIVE PITRE

##### AN ACT

To enact R.S. 45:858, relative to carriers; to provide that an owner of goods, products, or commodities is not automatically an offeror; to provide for definitions; to provide for an effective date; and to provide for related matters.

### Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 2002 by Representative Pitre

##### AMENDMENT NO. 1

On page 1, line 2, change "45:858" to "45:164(E) and 858"

##### AMENDMENT NO. 2

On page 1, line 2, after "carriers;" insert the following: "to provide relative to movers of household goods; to require all movers of household goods to comply with certain requirements;"



AMENDMENT NO. 3

On page 1, line 7, change "45:858 is" to "45:164(E) and 858 are"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§164. Common carrier's certificate; contract carrier's permit

\* \* \*

E.(1) All movers of household goods shall be required to apply for and secure a registration permit from the Louisiana Public Service Commission, shall secure and maintain the insurance policies required by the Louisiana Public Service Commission for movers of household goods, shall comply with all other requirements of the Louisiana Public Service Commission, shall carry motor truck cargo carriers insurance of at least fifty thousand dollars per truck and one hundred thousand dollars per catastrophe, shall secure and maintain workers' compensation insurance, and shall file a surety bond by a qualified surety company with the Louisiana Public Service Commission in the amount of five thousand dollars, prior to engaging in any activities related to moving household goods.

(2)(a) Any carrier providing the intrastate transportation of household goods shall maintain a permanent establishment in the state. A permanent establishment shall mean a fixed place of business through which the business of the carrier is wholly or partly carried on. The place of business shall be a particular building or physical location used by the carrier for the conduct of its business, and it shall be foreseeable that the carrier's use of this building or other physical location shall be more than temporary. The permanent establishment may include a place of management, a branch, an office, or a terminal. The permanent establishment may be operated by an employee of the carrier or an agent of the carrier provided that the agent has and habitually exercises the authority to conclude transportation contracts in the name of the carrier.

(b) The carrier shall register the address and telephone number of its permanent establishment with the secretary of state and the Public Service Commission. Service of process with respect to all civil, criminal, or administrative proceedings brought before any court or administrative agency located in the state may be served on the carrier at its permanent establishment by any means provided by the applicable rules or procedure for that court or agency providing service of process.

(c) Should the carrier cease to maintain a permanent establishment in the state, its right to conduct business in the state shall be immediately suspended.

(3) The Louisiana Public Service Commission shall adopt and promulgate rules and regulations necessary to the proper implementation and administration of this Subsection, subject to the oversight of the standing committees on transportation, highways and public works of the Senate and the House of Representatives pursuant to the Administrative Procedure Act. The provisions of this Section shall apply only when the contract for moving household goods exceeds two hundred fifty dollars.

Section 2. This Act shall be effective on January 1, 2004."

On motion of Senator Heitmeier, the amendments were adopted.

### Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 2002 by Representative Pitre

AMENDMENT NO. 1

On page 1, line 2, change "enact R.S. 45:858," to "amend and reenact R.S. 32:386(D) and to enact R.S. 32:386(L) and 1305(H) and (I), and R.S. 45:858," and between "carriers;" and "to" insert the following "to provide for weight limits on vehicles transporting forest products; to provide for a safety inspection program for vehicles which transport

forest products; to provide for a safety inspection program for certain vehicles transporting general freight and commodities;"

AMENDMENT NO. 2

On page 1, between lines 6 and 7, insert the following:

"Section 1. R.S. 32:386(D) is hereby amended and reenacted and R.S. 32:386(L) and 1305(H) and (I) are hereby enacted to read as follows:

§386. Weight

\* \* \*

D. The total gross weight of any tandem axle or tandem steering axle attached to any vehicle and equipped with low pressure pneumatic tires shall not exceed thirty-four thousand pounds. ~~However on any vehicle carrying forest products in their natural state, the weight limitation shall be thirty-seven thousand pounds per tandem axle and equipped with low pressure pneumatic tires except on the Interstate system.~~

\* \* \*

(L) Notwithstanding any other provision of law to the contrary, the only limitation on any vehicle transporting forest products in their natural state shall be that the total gross weight shall not exceed eighty-six thousand six hundred pounds regardless of the total gross weight of any tandem axle or tandem steering axle.

\* \* \*

§1305. Appointment of official inspection stations

\* \* \*

H. The department shall provide for a safety inspection program for the purpose of inspecting and certifying vehicles which transport forest products in their natural state in compliance with the Federal Motor Carrier Safety Regulations. The program shall include a mobile unit which will function as an official inspection station and which will conduct safety inspections, on a voluntary basis, at or near sawmills, chip mills, and paper mills in the state. The secretary shall adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act necessary to implement the provisions of this Subsection.

I. The department shall provide for a safety inspection program for the purpose of inspecting and certifying vehicles that transport general freight and commodities in compliance with the Federal Motor Carrier Safety Regulations. The program shall include a mobile unit that will function as an official inspection station and which will conduct motor carrier safety inspections, on a voluntary basis, at the permanent weight scales in the state. The secretary shall adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act necessary to implement the provisions of this Subsection."

AMENDMENT NO. 3

On page 1, line 7, change "Section 1." to "Section 2."

AMENDMENT NO. 4

On page 2, line 11, change "Section 2." to "Section 3."

AMENDMENT NO. 5

On page 2, line 13, change "Section 3." to "Section 4."

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Heitmeier moved final passage of the amended bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Michot
Adley	Heitmeier	Mount
Bajoie	Holden	Romero
Barham	Hollis	Schedler

June 20, 2003

Cain	Hoyt	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Ullo
Dean	Lentini	
Dupre	Malone	
Total—28		

NAYS

Total—0

ABSENT

Bean	Gautreaux	Marionneaux
Boissiere	Hines	McPherson
Ellington	Irons	Thomas
Fontenot	Lambert	
Total—11		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2004 (Substitute for House Bill No. 386 by Representative Crowe)—**

BY REPRESENTATIVE CROWE

AN ACT

To enact R.S. 22:10, relative to life insurance policies; to provide for a central database; to provide for a search for policies; to provide for the Department of Insurance; to provide for procedures; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Schedler sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Thomas to Engrossed House Bill No. 2004 by Representative Crowe

**AMENDMENT NO. 1**

On page 1, line 2, after "22:10" insert the following: "and amend and reenact R.S. 22:1138.1(A)(2)"

**AMENDMENT NO. 2**

On page 1, line 7, after "enacted" insert "and R.S. 22:1138.1(A)(2) is amended and reenacted"

**AMENDMENT NO. 3**

On page 2, after line 10, insert the following:

"§1138.1. Specialty limited lines credit insurance

(2) No producer shall sell, solicit, or negotiate credit life, credit health and accident, or credit property and casualty insurance pursuant to a specialty limited lines credit insurance producer license other than (i) in connection with retail sales transactions not exceeding ten thousand dollars per retail sales transaction; or (ii) in connection with retail sales wherein the transaction exceeds ten thousand dollars as provided in rules and regulations promulgated by the commissioner of insurance.

\* \* \*

On motion of Senator Schedler, the amendments were adopted.

The bill was read by title. Senator Schedler moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Michot
Bajoie	Holden	Mount
Barham	Hollis	Romero
Boissiere	Hoyt	Schedler
Cain	Irons	Smith
Chaisson	Johnson	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, CD	Ullo
Fields	Lentini	
Total—29		

NAYS

Dean  
Total—1

ABSENT

Bean	Fontenot	Marionneaux
Dupre	Hines	McPherson
Ellington	Lambert	Thomas
Total—9		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Schedler moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2010 (Substitute for House Bill No. 1044 by Representative Murray) —**

BY REPRESENTATIVE MURRAY

AN ACT

To authorize the Milne Home for Girls to operate as an adult residential care home; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Boissiere sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Reengrossed House Bill No. 2010 by Representative Murray

**AMENDMENT NO. 1**

Delete Senate Committee Amendment No. 3 proposed by Senate Committee on Health and Welfare and adopted by the Senate on June 12, 2003.

**AMENDMENT NO. 2**

On page 1, delete lines 16, 17, and 18 and insert "assist residents with the self administration of oral, inhalant, topical applications, suppository, eye and ear drops, prescription and non-prescription medication, in accordance with the resident's medical needs and orders of an authorized prescriber provided that the facility maintains documentation of training of certain home staff regarding resident specific medications and abides by the services plan and regulations of the home, approved by a medical doctor;"

On motion of Senator Boissiere, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Michot
Barham	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Ullo
Total—30		

## NAYS

Total—0

## ABSENT

Bean	Fontenot	Marionneaux
Boissiere	Hines	McPherson
Ellington	Lambert	Thomas
Total—9		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2015 (Substitute for House Bill No. 993 by Representative LaFleur)—**  
BY REPRESENTATIVES LAFLEUR, CAZAYOUX, HUTTER, AND SCALISE

## AN ACT

To enact Chapter 19-C of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1741 through 1741.3, relative to telecommunications; to provide relative to unsolicited commercial electronic mail advertisements; to provide for definitions; to prohibit certain activities; to require certain disclosures and the maintenance of certain electronic mail addresses; to provide relative to electronic mail addresses provided by an employer; to provide for civil actions and damages; and to provide for related matters.

## Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Reengrossed House Bill No. 2015 by Representative LaFleur

AMENDMENT NO. 1

On page 7, line 1 after "electronic" delete "or written"

AMENDMENT NO. 2

On page 7, line 19 at the end of the line after "other electronic" delete "or" and at the beginning of line 20 delete "written"

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

## YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Ullo
Dean	Jones, CD	
Dupre	Lentini	
Total—31		

## NAYS

Total—0

## ABSENT

Bean	Hines	McPherson
Ellington	Lambert	Thomas
Fontenot	Marionneaux	
Total—8		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2019 (Substitute for House Bill No. 1715 by Representative Glover)—**  
BY REPRESENTATIVES GLOVER AND L. JACKSON

## AN ACT

To enact R.S. 40:31.2, relative to public health; creates the Interagency Task Force on Health Literacy; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

**HOUSE BILL NO. 2025 (Substitute for House Bill No. 112 by Representative Guillory)—**  
BY REPRESENTATIVE GUILLORY

## AN ACT

To enact R.S. 33:1236.23, relative to naming a senior citizens' services administrative building; to authorize the governing authority of certain parishes to name a senior citizens' services administrative building in honor of a living public officer of the parish; to provide limitations; and to provide for related matters.

## Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain and Senator Fontenot to Engrossed House Bill No. 2025 by Representative Guillory

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:1236.23" insert "and to enact R.S. 49:150.21"

AMENDMENT NO. 2

On page 1, line 2, after "naming" insert "and displaying names and symbols on public buildings; to name"

AMENDMENT NO. 3

On page 1, line 5, after "parish" insert the following: "to authorize the board of commissioners of the Louisiana Stadium and Exposition District to contract with a private entity to paint and display the flag of the United States of America and "God Bless America" on the roof of the Louisiana Superdome;"

### AMENDMENT NO. 4

On page 1, line 8, delete "is" and insert "R.S. 49:150.21 are"

### AMENDMENT NO. 5

On page 2, between lines 2 and 3 insert the following:

"§150.21. Displaying the United States flag and "God Bless America" on a public building

A. Notwithstanding any other provision of law to the contrary, the board of commissioners of the Louisiana Stadium and Exposition District may contract with a private entity to paint, at no cost to the district nor the state of Louisiana, the flag of the United States of America and the phrase "God Bless America", on the roof of the Louisiana Superdome. Said contract shall stipulate that the district and the state of Louisiana shall be held harmless for any liability incurred as a result of the painting process, and the contractor shall be responsible for removal of the paint in the event that the naming rights to the Superdome are sold to a sponsor who desires that the painting be removed. The contractor shall post a bond for performance payable, as appropriate, to the board of commissioners of the Louisiana Stadium and Exposition District, with good and sufficient sureties approved by the board of commissioners, conditioned on the faithful performance of all duties surrounding the painting process.

B. Prior to the commencement of the painting process, the contractor must present, for district approval, detailed plans for the painting project, which shall include the names of those people involved in the project, the exact color of paint to be used as well as a small scale replica of the proposed finished product.

C. Any contract authorized under the provisions of this Section shall not be subject to public bidding requirements under the public bid law, R.S. 38:2181 et seq., or the Louisiana Procurement Code, R.S. 39:1551 et seq."

Senator Mount asked for a ruling from the Chair as to whether the amendment was germane to the bill.

The Chair ruled that the amendment was not germane to the bill.

The amendment was withdrawn.

The bill was read by title. Senator Cain moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Fields	Malone
Adley	Gautreaux	Michot
Bajoie	Heitmeier	Mount
Barham	Holden	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Ullo
Dean	Jones, CD	
Dupre	Lentini	
Total—31		

#### NAYS

Total—0

#### ABSENT

Bean  
Ellington  
Fontenot  
Total—8

Hines  
Lambert  
Marionneaux

McPherson  
Thomas

The Chair declared the bill was passed. The title was read and adopted. Senator Cain moved to reconsider the vote by which the bill was passed and laid the motion on the table.

### Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### Privilege Report of the Legislative Bureau

June 20, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

### HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

#### A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

Reported without amendments.

### HOUSE BILL NO. 61—

BY REPRESENTATIVE LANCASTER

#### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Wayne B. Posey v. Department of Transportation and Development for the State of Louisiana, and Aluminum Company of America, Inc."; to provide for interest; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 62—

BY REPRESENTATIVE GALLOT

#### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Paula Jo Odom v. State of Louisiana, through the Louisiana Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 73—

BY REPRESENTATIVE BRUCE

#### AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Thomas Adams, et ux v. The State of Louisiana through the Department of Transportation and

Development"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 74—**

BY REPRESENTATIVE ROMERO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Dora Salazar, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Ralph Buras v. Darryl M. Schultz, Judges of Orleans Parish Criminal District Court and the State of Louisiana"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES STRAIN, NEVERS, POWELL, SCHWEGMANN, SHAW, FLAVIN, GUILLORY, JOHNS, LANCASTER, JOHN SMITH, WADDELL, WALKER, WINSTON, AND WOOTON AND SENATORS DUPRE, GAUTREAUX, ADLEY, CAIN, ROMERO, AND THEUNISSEN

AN ACT

To amend and reenact R.S. 27:392(B)(2)(b) and (3) through (6) and to enact R.S. 27:392(B)(7), relative to the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of certain revenues; to make certain technical corrections; to establish the Equine Health Studies Program Fund in the state treasury; to provide for a portion of the monies in the Pari-mutuel Live Racing Facility Gaming Control Fund to be deposited into the Equine Health Studies Program Fund; to provide for the use of the monies in such fund; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE ERDEY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the judgment in the suit entitled "Mary E. Shackelford, et al v. Cheryl A. Harris, et al c/w Cheryl A. Harris v. State of Louisiana, Department of Transportation and Development"; to provide for interest and court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 202—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in favor of J. Caldarera & Co., Inc. in the suit entitled "Sizeler Architects, et al v. State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 237—**

BY REPRESENTATIVE CROWE

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gladys Breland and Kenneth Breland v. David A. McKenzie, Aleman's Auto Sales, Inc., Herbert McKenzie Auto Sales, Canal Indemnity Insurance Company, First Oak Brook Syndicate, and Louisiana Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 274—**

BY REPRESENTATIVE WALKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgments rendered in "Mary A. Brouillette v. Gilchrist Construction Company and the state of Louisiana through the Department of Transportation and Development" c/w Billy Hendrix, et al v. Gilchrist Construction Company, et al; to pay the consent judgments in "Janice Marie Miller, et ux and Amanda Heather Belgard, et ux v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 275—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Sizeler Architects, A Professional Corporation, and J. Caldarera Company, Inc. v. The State of Louisiana through the Louisiana Stadium and Exposition District"; to provide for interest; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 289—**

BY REPRESENTATIVE TUCKER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Cassandra Fontenette v. State of Louisiana through the Department of Transportation and Development and ABC Insurance Company"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 305—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to Ronald Tassin, to provide for reimbursement of his legal expenses.

Reported without amendments.

**HOUSE BILL NO. 371—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Rhonda Johnson, on behalf of her minor daughter, Renata Johnson v. Melvin Dumas, Sr., his

employer, St. James Catholic Church, and their liability insurance company, Virginia Surety Company, Randy Folse, and the Louisiana Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 458—**

BY REPRESENTATIVES CAZAYOUX AND BROOME  
AN ACT

To amend and reenact R.S. 38:301(A)(3) as amended and reenacted by Act No. 243 of the 2003 Regular Session of the Louisiana Legislature, relative to the authority of levee boards and levee and drainage boards; to authorize the construction of bicycle paths and walkways along the main line levees of the Mississippi River in West Baton Rouge Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 611—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 40:531(A), (C), and (D), 534, and 537, relative to local housing authorities; to provide relative to the appointment and removal of commissioners of certain local housing authorities established pursuant to resolution of certain parish governing bodies; to provide that the appointment and removal of commissioners of such housing authorities shall be made by the parish governing body; to provide relative to the certificate of appointment or reappointment for such commissioners; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 643—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Nellie L. Smith, Mother of Tron E. Smith, Deceased v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 798—**

BY REPRESENTATIVE PERKINS  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Linda Berthelot v. Linda F. Jones, and State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 831—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "Christine Vallien, Individually, on behalf of the estate of her husband, Leonard C. Vallien, and on behalf of her minor children, Joy Renee Vallien, Tiffany Rochelle Vallien, and Leonard C. Vallien, Jr. v. State of Louisiana through the Department of Transportation and Development"; to pay the consent judgment in "Kim Fitch, et al. v. Eddie Lewis, et al."; and to pay the consent judgment in "Kim

Sonnier, et ux. v. Allstate Insurance Co., et al." to provide for interest; to provide for court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 838—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Virgil Joffrion, Sr. v. The State of Louisiana, through the Department of Transportation and Development, consolidated with Joan Grissafe v. The State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 843—**

BY REPRESENTATIVE FARRAR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments against the state in the suits entitled "Ann Hickman, Douglas L. Hickman, and Emily Hickman v. State of Louisiana, through the Department of Transportation and Development"; "Terry L. Westbrook, et al. v. State of Louisiana, Department of Transportation and Development"; "Vickie Gayle Evans v. State of Louisiana, Department of Transportation and Development, et al."; "Bobby Allison v. Highlands Insurance Company, et al."; "Billy Hendrix, et al. v. Gilchrist Construction Company, et al."; "Joseph Wiltz v. City of Alexandria Public Works Division and Charlsie Contracting"; and "Melvin Smith and Lenora Smith v. State of Louisiana Department of Transportation and Development, et al."; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 863—**

BY REPRESENTATIVE DURAND  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Alison Bond and Dennis W. Bond v. Blake E. Ewen, Kelley P. Ewen, State of Louisiana through the Department of Transportation and Development, City of Baton Rouge/Parish of East Baton Rouge, Boston Old Colony Insurance Co., and ABC Insurance Company"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 867—**

BY REPRESENTATIVES MORRELL AND PEYCHAUD  
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session of the Legislature, as amended by Act No. 875 of the 1988 Regular Session of the Legislature, and as amended by Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for use of surplus funds; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 881—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Louis Merhige v. Board of Commissioners for the East Jefferson Levee District, C. "Bud" Taulli Construction Company, Inc., Manual Anaya, The Transportation Insurance Company, Parish of Jefferson, and the Department of Transportation and Development, State of Louisiana"; to pay the judgment in "Yvonne Updegraff v. State of Louisiana, through the Department of Transportation and Development"; to provide for interest; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 882—**

BY REPRESENTATIVE ALARIO

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis Bravo, individually, and for and on behalf of the community of acquets and gains, and Betty Bravo v. Parish of Jefferson, Board of Commissioners for the East Jefferson Levee District, C."Bud" Taulli Construction Company, Inc., Manual Anaya, and the XYZ Insurance Company"; to provide for interest; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 891—**

BY REPRESENTATIVE GALLOT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Regan Taylor, et al v. Rhett B. Price, et al"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 902—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the final judgment in the suit entitled "David P. Lanasa, Clare P. Lanasa, for/on behalf of the Estate of Debra Ann Lanasa, and her minor child, Tommy Jonathan Lanasa v. Michele A. Harrison, Allstate Insurance Company, and the State of Louisiana through the Department of Transportation and Development, c/w Michele A. Harrison v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 934—**

BY REPRESENTATIVE BROOME

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Latasha Butler, Individually and as Administratrix of the Estate of Her Minor Children, Tamara Butler and Lexie Butler v. State of Louisiana, through the Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 938—**

BY REPRESENTATIVE GARY SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to the Department of Education, State Activities, for payment or reimbursement for payment of legal expenses of James P. Dukes; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 984—**

BY REPRESENTATIVE SALTER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Lashondria Howard, et al. v. State of Louisiana, et al. consolidated with Julia Faye Hamilton Guice, et al. v. Zurich American Insurance Company, et al., Lyndon Property Insurance Co., et al. v. Union Parish Police Jury, et al., consolidated with Darrell Foster, et al. v. State of Louisiana, et al."; to provide for court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1075—**

BY REPRESENTATIVES BROOME, MORRELL, AND MURRAY

AN ACT

To enact R.S. 17:421.9, relative to public school social workers; to provide a salary supplement for certain public school social workers who have acquired certification by the National Association of Social Workers; to provide conditions and guidelines for receiving the supplement; to provide for payment; to provide limitations; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1095—**

BY REPRESENTATIVE WRIGHT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Louis D. Cockerham, Sr. v. State of Louisiana, Department of Transportation and Development"; to provide for court costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1139—**

BY REPRESENTATIVE ERDEY

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "James E. Leonard, et al. v. State of Louisiana through the Dept. of Transportation and Development"; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1176—**

BY REPRESENTATIVE DOWNER

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Troy A. Rousse, et al. v. State of Louisiana, through the Department of Transportation and Development, et al."; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1235—**BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact R.S. 33:4574.1-A(I), relative to the occupancy taxes levied by certain tourist commissions; to authorize certain tourist commissions to increase such taxes; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1239—**BY REPRESENTATIVE FRITH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Gwendolyn Derouen, Brad Lee Derouen, Wendy Lynn Guidry and Kurt Lee Derouen v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1247—**BY REPRESENTATIVE MURRAY  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Thelonious Dukes v. The State of Louisiana Department of Transportation and Development"; "Virginia Serpas v. the State of Louisiana, through the Department of Transportation and Development"; and "Anna Landry v. State of Louisiana through the Department of Transportation and Development"; to provide for interest; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1248—**BY REPRESENTATIVES HUTTER AND ODINET  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Evelyn Deffes v. State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1249—**BY REPRESENTATIVE ROMERO  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Julaine C. LeBlanc, et al. v. State Farm Insurance Company, et al."; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1261—**BY REPRESENTATIVE DANIEL  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in "Kasey J. Kidder v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Louisiana United Businesses Self Insured Fund v. the State of Louisiana, Department of Transportation consolidated with David L. Blount v. the State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in "Patrick Outlaw v. State of Louisiana, through the Department of Transportation and

Development, et al"; to pay the consent judgments in "Don Gross, individually and as natural tutor of his minor children, Don Terrell Spears and Adarian Dante Spears, and Mitchell Dominic v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1281—**BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 13:2586(C)(2) and 2587.1, R.S. 32:414(A)(3)(a) and (b), and R.S. 30:2522(3), 2531, 2531.5(D), 2531.6(A)(2), 2535(E), and 2544(D) and to repeal R.S. 30:2531.2, relative to littering; to provide for definitions; to prohibit intentional and simple littering; to provide for criminal and civil penalties; to provide for special court costs; to provide for jurisdiction of justices of the peace; to provide for prosecutorial powers of constables; to provide for enforcement; to provide for litter receptacles; to provide for litter-free zones; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1285—**BY REPRESENTATIVE DOWNER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the amended judgment in the claim against the state entitled "National Beverage Company v. Secretary, Department of Revenue and Taxation, State of Louisiana"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1286—**BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts for professional, personal, consulting, and social services; to exempt certain consulting service contracts relating to acquisition of rights-of-way from certain requirements related to consulting contract procurements; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1290—**BY REPRESENTATIVE TOWNSEND  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the judgments in the suits entitled "Jonelle Clark v. Julie B. Roy, Allstate Insurance Company and State of Louisiana through the Department of Transportation and Development"; "Joe Farley, Jr., Mary Ann Farley Brooks, Rosetta Farley Fontenot, Elma Farley Alexander, Matthew Farley, Mose Farley, Henry E. Farley, Brenda Farley, Ollie Mae Farley Bell, and Robert L. Farley v. State of Louisiana, Department of Transportation and Development, et al."; "Lisa M. John v. Rodney G. Freeman, Financial Indemnity Insurance, Valerie J. Hill, Progressive Security Insurance Co., and State of Louisiana, through the Department of Transportation and Development"; "Rosemount, Inc. v. Secretary, Department of Revenue, State of Louisiana"; "Automatic Switch Company v. John Neely Kennedy, Secretary, Department of Revenue, State of Louisiana"; "Herman H. Boyett et ux v. State of Louisiana, Etc."; "Joseph Roy Lyons, husband of/and Myra Leger Lyons, individually and on behalf of his minor children, Joseph Roy Lyons, Jr. and Andrew Robert Lyons v. State of Louisiana, through the Department of Transportation and Development,



Daimler/Chrysler Corporation, Southside Chrysler Corporation, d/b/a North Loop Dodge"; and "Brenda Whirl v. State of Louisiana, through the Department of Transportation and Development, et al."; to provide for interest; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1304—**

BY REPRESENTATIVES STELLY, FLAVIN, GUILLORY, JOHNS, AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSEN  
AN ACT

To amend and reenact R.S. 27:392(B)(2)(b), (3)(b) and (c), (4), and (5), relative to the distribution of revenues derived under the Pari-mutuel Live Racing Facility Economic Redevelopment and Gaming Control Act; to provide for the distribution of such revenues in Calcasieu Parish; to make certain technical corrections; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1314—**

BY REPRESENTATIVE DEVILLIER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay certain judgments against the state; to pay the consent judgment in the suit entitled "McKinley Thompson v. State of Louisiana through the Department of Transportation and Development and East Feliciana Parish Sheriff's Office"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Curtis K. Stafford, Jr., Bonnie Bridges Stafford and Kendall R. Stafford v. State Farm Mutual Automobile Insurance Company and State of Louisiana, through the Department of Transportation and Development; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1317—**

BY REPRESENTATIVE BROOME  
AN ACT

To enact R.S. 17:421.9, relative to public school speech-language pathologists and audiologists; to provide a salary supplement for certain public school speech-language pathologists and audiologists who have acquired certification by the American Speech-Language Hearing Association; to provide conditions and guidelines for receiving the supplement; to provide limitations; to provide procedures for payment of such supplement; to provide definitions; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1335—**

BY REPRESENTATIVE R. CARTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgment in the suit entitled "Keith E. Ridgel and Tara Ridgel v. Emile G. Hardin, ABC Insurance Company, Illinois Central Railroad Company d/b/a Canadian National/Illinois Central Railroad, DEF Insurance Company, and the State of Louisiana through the Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1369—**

BY REPRESENTATIVE M. JACKSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay consent judgments in the suits against the state entitled "Nakisha Rogers v. Kenyatta Thomas, Allstate Insurance Company and the State of Louisiana through the Department of Transportation and Development"; "Kenyatta Thomas v. the State of Louisiana, through the Department of Transportation and Development"; and "Wiley Boyett, Elaine Boyett Rachal, Roger Van Boyett and Debra Boyett Allen v. Kemper Insurance Group, et al."; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1461—**

BY REPRESENTATIVE GARY SMITH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Levar Green, et al. v. Department of Transportation and Development, et al."; to pay the consent judgment in the suit entitled "John Kolwe and Sheila Kolwe v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in "Mathilda Curry v. Mutual Services Casualty Insurance Co., Hung Vu, and Department of Transportation and Development, State of Louisiana"; to provide for interest; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVE LANCASTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the consent judgment in the suit entitled "Carl Walther, et al. v. Department of Labor and Department of State Civil Service"; to pay the consent judgment in the suit entitled "Justin Phillips, et al. v. Elwood Matherne, Jr., et al."; to pay the consent judgment in the suit entitled "Gramercy Insurance Company v. Louisiana Department of Economic Development, Louisiana Small Business Bonding Assistance Program and Hibernia National Bank"; to pay certain judgments of the Board of Tax Appeals in the claims of "Newpark Environmental Services, Inc. v. State of Louisiana"; to provide for interest; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1518—**

BY REPRESENTATIVE LANDRIEU  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state for fees and costs associated with legal representation of certain juveniles; to provide for interest; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1622—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Derrick Shane Miller v. State of Louisiana through the Department of Transportation and Development and Prairie

Construction Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1651—**

BY REPRESENTATIVE LANDRIEU AND SENATOR JOHNSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the final judgment in the suit entitled "Darlene Rogers and Carol Barnes v. State of Louisiana, through the Department of Transportation and Development"; to pay the final judgment in the suit entitled "William W. Rosen v. State of Louisiana through the Department of Transportation and Development, ABC Construction Company, and ABC Insurance Company"; to pay the consent judgment in the suit entitled "Michael Perry v. the State of Louisiana, through the Department of Transportation and Development and Parish of St. Bernard"; to pay the consent judgment in the suit entitled "William Serigne v. State of Louisiana, through the Department of Transportation and Development, et al.," to pay the consent judgment in the suit entitled "Jerry L. Fox v. Alton B. Honeycutt, et al.," to pay the consent judgment in "Tina Marie Hebert v. Robert Metzler, Barriere Construction Co., Inc., St. Paul Fire & Marine Insurance Company and Atlanta Casualty Companies"; to provide for interest; to provide for costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1654—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments against the state; to pay the consent judgments in the suits entitled "Kerry Kathryn Gordon Benoit and Breanna Hope Benoit v. The Hartford Casualty Insurance, et al."; "Betty Frady Huddleston v. State of Louisiana, Department of Transportation and Development; "Dorothy Calico and Kelly Calico v. Angelo Iaffrate, Louisiana Department of Transportation and Development, ABC Contracting Company, DEF Insurance Company and XYZ Insurance Company; "Dale Rice, individually and on behalf of Jonathan T. Rice v. Zulema VA. Miller, Johnny C. Miller, the Parish of East Feliciana, the State of Louisiana through the Department of Transportation and Development, Transcontinental Pipeline Gas Company and XYZ Insurance Company"; "Linda Rainey, as the tutor of Kody Michel v. State of Louisiana, Department of Transportation and Development and Department of Public Works; the Parish of St. Tammany; Town of Abita Springs; Wal-Mart, Inc., and XYZ Engineering Company"; and "Pique-Weinstein-Pique-Architects, Inc. v. Louisiana Stadium and Exposition District"; to provide for interest; to provide for court costs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1673—**

BY REPRESENTATIVE LAFLEUR  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Natalie Ortego v. Crowell Lumber Company and St. Paul Fire and Marine Insurance Company"; to provide for costs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1742—**

BY REPRESENTATIVE HUTTER  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the consent judgment in the suit entitled "Walter Diggs, Jr., husband of/and Mary Diggs v. Louisiana Department of Transportation and Development"; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1781—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND TOWNSEND  
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1792—**

BY REPRESENTATIVE HUDSON  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain consent judgments against the state; to pay the consent judgment in the suit entitled "Joseph Powell v. State of Louisiana, through the Department of Transportation and Development"; to pay the consent judgment in the suit entitled "Nelda Powell v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1817—**

BY REPRESENTATIVES ODINET, RICHMOND, AND SWILLING  
AN ACT

To amend and reenact R.S. 47:322.38(A)(1) and to enact R.S. 47:322.38(E), relative to the state sales and use tax on hotel occupancy levied in Orleans Parish; to revise the dedication of a portion of the avails of the tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1858—**

BY REPRESENTATIVES LEBLANC, LAFLEUR, MURRAY, AND WELCH  
AN ACT

To enact R.S. 17:419.2, relative to school support personnel; to provide for extra compensation paid by the state for school support personnel; to provide for the amount to be distributed to each employee; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1873—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Albert J. Rohlfs and Helen M. Rohlfs v. Great West Casualty Co., et al" and "James Luther, et ux. v. Janie Audra Mason, et al."; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1875—**

BY REPRESENTATIVES DEWITT, BRUNEAU, LANCASTER, LEBLANC, AND HUNTER AND SENATORS HAINKEL, LAMBERT, BARHAM, DARDENNE, AND ULLO

**AN ACT**

To appropriate the sum of Fifty-two Million Nine Hundred Forty Thousand One Hundred Twenty-Nine and No/100 (\$52,940,129.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Eight Million Nine Hundred Thirteen Thousand Nine Hundred Eighty-eight and No/100 (\$8,913,988.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide with respect to appropriations to certain entities within the Department of Public Safety and Corrections; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported without amendments.

**HOUSE BILL NO. 1918—**

BY REPRESENTATIVE DOWNS

**AN ACT**

To amend and reenact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for use of certain monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1919—**

BY REPRESENTATIVE SCHWEGMANN

**AN ACT**

To amend and reenact R.S. 46:2633(D)(1) and 2634(D)(1), relative to the Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board; to provide for use of monies in the Traumatic Head and Spinal Cord Injury Trust Fund; to provide for reimbursement of members' necessary travel expenses; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1953—**

BY REPRESENTATIVE ARNOLD

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay the consent judgments in the suits entitled "Leora Gernados, et al v. Toby E. Vallian and the Department of Transportation and Development" and "Terri C. Gernados v. Toby E. Vallian, et al."; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1983—**

BY REPRESENTATIVE MCDONALD

**AN ACT**

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2003-2004 to be used to pay certain judgments against the state; to pay the judgment in the suit entitled "Stuart Hughes Smith, et ux. v. State of Louisiana, Department of Transportation and Development et al"; to pay the judgment in the suit entitled "Marcus Ray Bennett v. Ford Motor Company and State of Louisiana, Department of Transportation and Development"; to pay the judgment in the suit entitled "The Estate of Gabriel Taylor Murray, et al v. State of Louisiana, Department of Transportation and Development"; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1996—**

BY REPRESENTATIVE HONEY

**AN ACT**

To amend and reenact R.S. 40:490(B)(introductory paragraph) and to enact R.S. 40:490(C), relative to payments in lieu of taxes; to grant certain parishes and municipalities and school boards in such parishes certain authority relative to payments in lieu of taxes; to require housing authorities in certain parishes to make payments in lieu of taxes to certain school boards; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2021 (Substitute for House Bill No. 1162 by Representative Diez)—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:1(40), 1301, and 1304(A)(1) and (2) and R.S. 47:463(A)(1)(introductory paragraph) and to enact R.S. 32:300.1, relative to motor vehicles; to provide relative to the definition of "motor vehicle"; to include "low-speed vehicles" within the definition of "motor vehicle"; to provide relative to requirements of "low-speed vehicles"; to exempt "low-speed vehicles" from certain requirements of motor vehicles; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
RON BEAN  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Bean, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 20, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

**SENATE BILL NO. 21—**

BY SENATOR CAIN AND REPRESENTATIVE ILES

**AN ACT**

To amend and reenact R.S. 47:302.5, 322.19, and 332.3, relative to the Vernon Parish Legislative Community Improvement Fund; to provide for the appropriation, administration, distribution, and use of money in the fund; and to provide for related matters.

**SENATE BILL NO. 72—**

BY SENATOR DUPRE

**AN ACT**

To amend and reenact R.S. 15:307(B) and to enact R.S. 32:667(I), relative to ignition interlock devices; to provide relative to the installation of ignition interlock devices as a requirement of probation for operating a vehicle while intoxicated; to prohibit the mail order purchase, lease, or acquisition of such a device; to provide for definitions; to require the installation of ignition

interlock devices in vehicles operated by certain persons who have had their driver's license suspended with regard to an arrest for operating a vehicle while intoxicated; and to provide for related matters.

**SENATE BILL NO. 86—**

BY SENATORS HINES, CAIN, HOLDEN, HOLLIS, MCPHERSON AND ULLO AND REPRESENTATIVES BALDONE, CAZAYOUX, DOWNER, DURAND, FAUCHEUX, FRITH, FUTRELL, HUDSON, KATZ, KENNEY, LEBLANC, MURRAY, NEVERS, PINAC, SALTER, SCALISE, JACK SMITH, TRICHE AND WRIGHT

**AN ACT**

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.201, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 98 (Duplicate of House Bill No. 667)—**

BY SENATOR LENTINI AND REPRESENTATIVE THOMPSON AND COAUTHORED BY REPRESENTATIVES MCDONALD, SCHNEIDER AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 14:63 and to repeal R.S. 14:63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, and 63.12, relative to criminal trespass; to provide for the crime of unauthorized entry; to provide for penalties; to provide exemptions; to provide for the limitation of liability of owners, lessees, and custodians; to delete certain specific types of crimes of trespass; and to provide for related matters.

**SENATE BILL NO. 211—**

BY SENATOR BOISSIERE AND REPRESENTATIVE MURRAY

**AN ACT**

To enact R.S. 24:802(E), relative to the Louisiana Commission on Intergovernmental Relations; to authorize and provide for the establishment of an executive committee of the commission; to provide for its functions and duties; and to provide for related matters.

**SENATE BILL NO. 227—**

BY SENATORS HOLLIS, BAJOE, CAIN, CRAVINS, DEAN, FONTENOT, GAUTREAUX, HINES, HOLDEN, MALONE, MCPHERSON, MICHOT, ROMERO AND THOMAS AND REPRESENTATIVE MURRAY

**AN ACT**

To enact R.S. 42:851(A)(7), relative to group insurance; to prohibit the state from increasing an employees portion of the total insurance premium to cover deficits; to provide with respect to the contribution by the state to cover deficits; and to provide for related matters.

**SENATE BILL NO. 255—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact Code of Civil Procedure Art. 2031, relative to revival of judgments; to provide for the revival of money judgments by ex parte motion; to remove the requirement of serving the judgment debtor; to provide that notice of signing of the judgment of revival be sent to the debtor; to provide for attorney's fees; to provide for annulment of a judgment revived by fraud or in error; and to provide for related matters.

**SENATE BILL NO. 295—**

BY SENATOR DARDENNE

**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 571.1 and 572 and to enact Code of Criminal Procedure Art. 572.1, relative to time limitations of prosecution; to repeal such limitations on certain offenses under certain conditions; to provide for definitions; to provide for retroactive application of provisions; and to provide for related matters.

**SENATE BILL NO. 314—**

BY SENATOR SCHEDLER AND REPRESENTATIVES DURAND AND WELCH

**AN ACT**

To amend and reenact R.S. 39:198(D)(3) and 1514(A)(1)(b), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for modification of the initial term of fiscal intermediary contracts; to provide for the option to extend a fiscal intermediary contract for successive twelve-month terms; and to provide for related matters.

**SENATE BILL NO. 315—**

BY SENATOR SCHEDLER

**AN ACT**

To enact Part III of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1331 through 1344, relative to the practice of perfusion; to provide for the licensure of qualified medical technicians to practice perfusion; to provide definitions; to create the Advisory Committee on Perfusion and provide for its membership and duties; to provide for penalties; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 213—**

BY SENATOR DARDENNE AND REPRESENTATIVES BALDONE, DARTEZ, DOWNER AND PITRE

**A JOINT RESOLUTION**

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Coastal Restoration Fund in the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

**SENATE BILL NO. 318—**

BY SENATOR ELLINGTON

**AN ACT**

To amend and reenact Children's Code Arts. 1186(A) and 1190(B), and to enact Children's Code Art. 1190(C), relative to confidentiality of adoption records; to provide for notice to the custodian of certain adoption records prior to an adoption records hearing; to provide for fifteen days notice prior to hearing; to provide for an exception; and to provide for related matters.

**SENATE BILL NO. 354—**

BY SENATORS MCPHERSON AND CAIN

**AN ACT**

To amend and reenact R.S. 9:2795.1(A)(2) and (4) and to enact R.S. 9:2795.1(A)(6)(d) and 2795.3, relative to limitations on liability; to provide for definitions; to provide for immunity from liability for an equine activity sponsor, an equine professional, or other person for injuries or death; to provide for exceptions; to require warning signs; to provide for failure to comply with the warning requirement; and to provide for related matters.

**SENATE BILL NO. 382 (Duplicate of House Bill No. 1550)—**

BY SENATORS SCHEDLER AND REPRESENTATIVE WELCH AND COAUTHORED BY SENATOR BAJOE AND REPRESENTATIVE DURAND

**AN ACT**

To enact Chapter 8-A of Title 46 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 and 979, relative to health

care for the low-income uninsured; to provide for expanding coverage to certain low-income uninsured through Medicaid program waivers; and to provide for related matters.

**SENATE BILL NO. 398—**

BY SENATORS FONTENOT, IRONS, MOUNT, BAJOE AND HINES AND REPRESENTATIVES ALEXANDER, CROWE, HONEY, HUDSON, KENNARD, KENNEY, NEVERS, PEYCHAUD, POWELL, JANE SMITH, STELLY AND WINSTON

**AN ACT**

To enact R.S. 17:17, relative to physical activity for students; to require certain public schools to provide daily physical activity for students; and to provide for related matters.

**SENATE BILL NO. 400—**

BY SENATOR FONTENOT

**AN ACT**

To amend and reenact R.S. 37:1367(A), relative to professions and occupations; to provide with respect to plumbers; to provide for a licensed journeyman plumber to supervise three apprentices on a job; and to provide for related matters.

**SENATE BILL NO. 408—**

BY SENATORS GAUTREAUX AND HINES AND REPRESENTATIVES FAUCHEUX, MURRAY AND PEYCHAUD

**AN ACT**

To enact R.S. 22:215.24, relative to health insurance; to provide hearing aid coverage for minor children; and to provide for related matters.

**SENATE BILL NO. 418—**

BY SENATOR MCPHERSON AND REPRESENTATIVES R. CARTER, GALLOT, HEATON AND WELCH

**AN ACT**

To enact R.S. 40:2402(4) and 2405(F), relative to Peace Officer Standards and Training Law; to provide with respect to peace officer training requirements; to provide for reimbursement of peace officer training by the peace officer; to provide for definitions; to provide for time and cost limitations on reimbursement after satisfactory completion of training; and to provide for related matters.

**SENATE BILL NO. 424—**

BY SENATOR CHAISSON

**AN ACT**

To enact R.S. 27:302(E) and (F), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specifications of devices; to provide for the scheduling of video poker games with no minimum wager; to provide authorization of minimum wagers in video draw poker devices located in Orleans Parish; and to provide for related matters.

**SENATE BILL NO. 425—**

BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:447, 448(A), (C), and (D), 449, 450(B), (D)(3) and (4) and 451, and to enact R.S. 11:450(A)(3) and (D)(6), 451.1, 451.2, 451.3 and 451.4, relative to the Louisiana State Employees' Retirement System; to provide for self-directed investment funds in the Deferred Retirement Option Plan and to alter other provisions of the plan to be compatible with the changes in the plan; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 426—**

BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:1902(11), 1903(H), 1928(B)(1), 1932(A) and (B), and 1976, relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to the method used to calculate overtime; to provide with respect to plans for extending member benefits; to provide with respect to retirees in elected positions; to provide with respect to the mode of payment options; to provide with respect to employee

contribution rate; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 427—**

BY SENATOR BOISSIERE

**AN ACT**

To amend and reenact R.S. 11:822(E), relative to Teachers' Retirement System of Louisiana; to provide with respect to election procedures; to provide an effective date; and to provide for related matters.

**SENATE BILL NO. 477—**

BY SENATOR CHAISSON

**AN ACT**

To enact R.S. 27:301(B)(16) and 302(A)(5)(p), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; to provide for authorization of multi-hand games in video draw poker devices located in Orleans Parish; and to provide for related matters.

**SENATE BILL NO. 480—**

BY SENATOR CHAISSON

**AN ACT**

To amend and reenact R.S. 15:542.1(H)(1) and 572(B), relative to sex offenses; to provide relative to required registration of sex offenders; to provide that the requirement to register shall apply to an offender who is pardoned; and to provide for related matters.

**SENATE BILL NO. 518—**

BY SENATOR C. JONES

**AN ACT**

To enact R.S. 15:827.1, relative to criminal procedure; to create the reentry preparation program within the Department of Public Safety and Corrections; to require certain personnel at state correctional facilities; to provide for duties of such personnel; to require participation of certain offenders in the reentry preparation program; to require certain instruction areas in such program; to authorize the assistance of public or private organizations for the delivery of such program; to provide relative to distance instruction; to require the promulgation of rules and guidelines; and to provide for related matters.

**SENATE BILL NO. 522—**

BY SENATOR C. JONES

**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 926.1 (A)(1), (H)(3), and (K), relative to post conviction relief; to provide relative to DNA testing; to extend the period of time in which an application for post conviction relief through DNA testing can be made; and to provide for related matters.

**SENATE BILL NO. 583—**

BY SENATOR MARIONNEAUX

**AN ACT**

To amend and reenact R.S. 2:653(A) and 654(B)(introductory paragraph), (1), and (9), (H)(introductory paragraph) and (2), and (J) and to enact R.S. 2:654(B)(14), (15), and (16) and (H)(4) through (8), relative to the Louisiana Airport Authority; to provide relative to the territorial boundaries of the such authority; to provide for representation from certain parishes on the board of commissioners; to provide for the term of office of each new member; to provide relative to the quorum for the board of commissioners; and to provide for related matters.

**SENATE BILL NO. 596—**

BY SENATOR CHAISSON

**AN ACT**

To amend and reenact R.S. 13:352(C), relative to judges of courts of appeal; to provide for reimbursement to judges of the courts of appeal for expenses incurred while on official duty; to provide

that such reimbursement be payable out of self-generated funds; and to provide for related matters.

**SENATE BILL NO. 603—**  
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide with respect to the purchase of service by any active, contributing member of the retirement system; to establish the procedure for such purchases; to provide an effective date; and to provide for related matters.

**SENATE BILL NO. 607—**  
BY SENATORS HOLDEN, IRONS, MARIONNEAUX AND MOUNT

AN ACT

To enact Chapter 20-H of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3050.1 through 3050.4, relative to establishment of the Grant Opportunity for Youth ChalleNGe Skill Training; to establish a program of tuition assistance for skill and occupational training at a postsecondary institution for students who graduate from the Louisiana National Guard's Youth ChalleNGe Program and earn a general education diploma; to provide for program eligibility and award limits; to provide continuation requirements for continued payments; to provide for administration of the program; to provide for funding; and to provide for related matters.

**SENATE BILL NO. 623—**  
BY SENATOR MICHOT AND REPRESENTATIVES BRUNEAU, FUTRELL, GALLOT, HUNTER, MURRAY, PITRE AND WALSWORTH

AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to require that e-mail notification of reports be sent to members of the legislature; to require agencies to offer publications in an electronic format; and to provide for related matters.

**SENATE BILL NO. 646—**  
BY SENATOR HEITMEIER AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 38:2211(A)(6) and 2212(D)(1), relative to public contracts; to provide for an exception to the formal bid process in the event of an extreme public emergency; and to provide for related matters.

**SENATE BILL NO. 666—**  
BY SENATOR HEITMEIER AND REPRESENTATIVES FAUCHEUX AND TOWNSEND

AN ACT

To amend and reenact R.S. 22:2002(3) and (6) and to enact R.S. 22:2004.2 and 3018.1, relative to health insurance; to require coverage for low protein food products to treat certain diseases by certain health organizations and self-insured entities; and to provide for related matters.

**SENATE BILL NO. 673—**  
BY SENATOR ULLO AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by the second Section 2 of Act No. 599 of the 1999 Regular Session, and as amended by Section 2 of Act No. 705 of the 2001 Regular Session, and to amend and reenact R.S. 56:700.2(A)(4), all relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

**SENATE BILL NO. 688—**  
BY SENATOR ULLO

AN ACT

To enact R.S. 38:2211(A)(13) and 2212(A)(1)(f), relative to public contracts; to provide for the acceptance of bids via electronic medium; to authorize political subdivisions to accept bids for

public works via certain secure electronic interactive environment; to provide for definitions; to provide for development of standards for a secure electronic interactive medium; and to provide for related matters.

**SENATE BILL NO. 706—**  
BY SENATORS IRONS AND MARIONNEAUX AND REPRESENTATIVES BALDONE AND MURRAY

AN ACT

To enact R.S. 17:406.6, relative to parental involvement in schools; to provide for the establishment of a demonstration program in local school systems; to provide for the selection of participating schools; to provide for the definition, qualification, selection and duties of an independent parent review board; to provide relative to the evaluation of parental involvement programs; to require a report of findings to the State Board of Elementary and Secondary Education; and to provide for related matters.

**SENATE BILL NO. 819—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1201(F)(introductory paragraph) and to enact R.S. 23:1201(I) and (J) and to repeal R.S. 23:1121(C) and 1201.2, relative to workers' compensation; to provide for the payment of medical benefits; to require certain documentation of medical treatment; and to provide for related matters.

**SENATE BILL NO. 821—**  
BY SENATORS SCHEDLER AND THOMAS AND REPRESENTATIVES STRAIN AND WINSTON

AN ACT

To amend and reenact R.S. 33:130.401(A), 130.402(A)(1) and (F), 130.403(10), 130.404(A)(1), (B)(1),(2) and (3) and 130.406(B)(2), to enact R.S. 33:130.403 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), and 130.404 (C), (D), and (E), and to rename Subpart B-17 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, all relative to the St. Tammany Parish Economic and Industrial Development District; to provide for the name of the district, its powers, and purpose; to provide relative to the membership of the board of commissioners; and to provide for related matters.

**SENATE BILL NO. 839—**  
BY SENATORS JOHNSON, BARHAM AND ULLO AND REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 49:153.3, relative to the displaying of flags; to recognize the flag of the former Republic of Vietnam as the official flag to be displayed in the state; and to provide for related matters.

**SENATE BILL NO. 842—**  
BY SENATOR MCPHERSON AND REPRESENTATIVES CURTIS, DEWITT AND FARRAR

AN ACT

To enact Code of Civil Procedure Art. 4843(J) and 4850.1, relative to city court jurisdiction; to provide for an increase in the jurisdictional amount for the City Court of Alexandria; and to provide for related matters.

**SENATE BILL NO. 843—**  
BY SENATORS MCPHERSON AND ULLO

AN ACT

To amend and reenact R.S. 45:844.14(A)(1), relative to the Telephone Solicitation Relief Act of 2001; provides relative to listing procedures; repeals the five dollar initial listing and renewal charge; and to provide for related matters.

**SENATE BILL NO. 844—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; to provide for definitions; and to provide for related matters.

**SENATE BILL NO. 866—**  
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who can refer to occupational therapists; and to provide for related matters.

**SENATE BILL NO. 926—**  
BY SENATOR ADLEY

AN ACT

To enact R.S. 42:7.3, relative to meetings of public bodies; to provide a procedure for the presentation and consideration of an offer to sell natural gas to a public body for use in its gas distribution system sales to retail customers for a certain term, or to assume the operation or acquire the ownership of, a gas utility owned or operated by a public body; and to provide for related matters.

**SENATE BILL NO. 929 (Duplicate of House Bill No. 1999)—**  
BY SENATOR HAINKEL AND REPRESENTATIVE WINSTON

AN ACT

To enact Part XV of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4780 through 4785, relative to boats and boating; to provide with respect to the "Marina and Boatyard Storage Act"; to provide definitions; to provide with respect to the creation of a privilege on movable property stored in marinas and boatyards for the payment of rent due and other charges; to provide for exclusions; to provide with respect to notice of privilege; to provide for the enforcement of the privilege by sale or other disposition; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 1010—**  
BY SENATOR CHAISSON

AN ACT

To repeal R.S. 17:63, relative to restrictions on certain city, parish, or other local school board members; to repeal all prohibitions on members of any city, parish, or other local school board from qualifying or running for another public office without their school board seat being vacated; and to provide for related matters.

**SENATE BILL NO. 1011—**  
BY SENATORS MICHOT AND SCHEDLER AND REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 39:1496.1(A) and (B) and to enact R.S. 39:1496.1(E), relative to performance-based energy efficiency contracts; to provide for the award of such contracts; to provide for audit; to provide for review, approval, and oversight of such contracts; and to provide for related matters.

**SENATE BILL NO. 1018—**  
BY SENATOR B. JONES AND REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 33:2740.55 and 2740.56, relative to municipalities and parishes; to provide for the creation, composition and powers of a downtown development district in the city of Ruston; to provide for the preparation of plans, levy of special ad valorem taxes, and issuance of bonds and other instruments of indebtedness; to provide with respect to the designation of

certain historic districts as downtown development districts; and to provide for related matters.

**SENATE BILL NO. 1027—**  
BY SENATOR JOHNSON AND REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

**SENATE BILL NO. 1031—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 40:2403(H) and to enact R.S. 14:67.16(G) and R.S. 44:3(G), relative to crimes of misappropriation without violence; to provide relative to the crime of identity theft; to provide relative to the investigation of an allegation of such crime; to require such investigation under certain circumstances; to require training of police officers relative to such crime; to require funding prior to the implementation of such training; to provide for an effective date for the implementation of such training; and to provide for related matters.

**SENATE BILL NO. 1035—**  
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 11:1732(14)(a), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to the definition of employer; to allow employees of planning and development commissions to join the retirement system; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 1090—**  
BY SENATOR BAJOEI

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Metropolitan Human Services District; to provide for powers, duties, and functions of the district; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the district; to provide for the transfer of employees; and to provide for related matters.

**SENATE BILL NO. 1126 (Duplicate of House Bill No. 1958)—**  
BY SENATOR LENTINI AND REPRESENTATIVE SNEED AND  
COAUTHORED BY REPRESENTATIVES HAMMETT, LANDRIEU,  
SCALISE AND WALSWORTH

AN ACT

To amend and reenact R.S. 51:2453(1)(a)(i)(cc), relative to the quality jobs program; to provide for the percentage of health insurance premium to be paid by the employer for certain employees in order to qualify under the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

June 20, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 254—**

BY REPRESENTATIVE MORRISH  
A CONCURRENT RESOLUTION

To commend Doug Daigle upon thirty-two years of public service on the police jury of Jefferson Davis Parish.

**HOUSE CONCURRENT RESOLUTION NO. 255—**

BY REPRESENTATIVES WELCH AND ALARIO, ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PEYCHAUD, PIERRE, PINAC, PITRE, POWELL, QUEZAIRE, RICHMOND, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend the Louisiana State University Lady Tigers upon winning the National Collegiate Athletic Association Women's Track and Field Championship.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 20, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 150—**

BY REPRESENTATIVE TUCKER  
AN ACT

To enact R.S. 45:844.4 and 844.8, relative to telephonic solicitations; to provide relative to solicitations to wireless subscribers; to provide for definitions; to prohibit certain solicitations; to provide for responsibility; to provide for investigations and penalties; and to provide for related matters.

**HOUSE BILL NO. 363—**

BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 40:1496.17(D) and 1502.10(A), relative to fire protection districts; to provide relative to the administration of funds of the Fire Protection District of Red River Parish; to provide that the board of commissioners of the district shall administer such funds; to provide for implementation; to authorize the governing authority of the Fire Protection District No.1 of Caddo Parish, subject to voter approval, to establish and collect a service charge or rates of service charges; and to provide for related matters.

**HOUSE BILL NO. 397—**

BY REPRESENTATIVE GREEN  
AN ACT

To enact R.S. 9:292, relative to name changes; to provide for the use of surnames by married persons; to provide for the use of a deceased spouse's surname; to provide for the use of a former spouse's surname; and to provide for related matters.

**HOUSE BILL NO. 453—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 9:5607, relative to civil liability for damages; to provide for peremption of actions for damages against a professional engineer, surveyor, professional interior designer, and architect; to provide for a prescriptive period for such actions; to provide for applicability; and to provide for related matters.

**HOUSE BILL NO. 469—**

BY REPRESENTATIVES SALTER AND BRUCE  
AN ACT

To amend and reenact R.S. 56:643(B)(2), relative to hunting and fishing licenses; to provide for qualifications for a license available to state residents on active military duty; and to provide for related matters.

**HOUSE BILL NO. 633—**

BY REPRESENTATIVE HUTTER  
AN ACT

To enact R.S. 49:170.8, to designate the Creole Tomato as the state vegetable plant; to designate the sweet potato as the state vegetable; and to provide for related matters.

**HOUSE BILL NO. 818—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:1481(1)(a), relative to the Louisiana Assessors' Retirement Fund; to provide for financing of the fund; to provide for tax deductions; to provide for the sources of funding; to provide authority for the fund to make demand on the state treasurer for certain payments; to specify that amounts due to the fund shall be certified as correct by the legislative auditor; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 908—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 11:1751.1, relative to the Municipal Employees' Retirement System of Louisiana; to exempt certain elected officials from making contributions to the system and to provide that they are ineligible for membership; to provide for employer contributions; to provide for an effective date; and to provide for related matters.



**HOUSE BILL NO. 912—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 11:1305(D), relative to the State Police Pension and Retirement System; to provide for the purchase of service credit for employment with certain law enforcement agencies; and to provide for related matters.

**HOUSE BILL NO. 913—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1312(H) and 1335, relative to the Louisiana State Police Pension and Retirement System; to provide with respect to the conversion of annual leave and sick leave upon termination of employment; to provide relative to lump sum payments for leave conversion; to allow deposit of such payments directly into the member's Deferred Retirement Option Plan account; to provide for placing Deferred Retirement Option Plan account balances in liquid asset money market investments; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 986—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 11:163(B) and to enact R.S. 11:163(C), relative to the Louisiana State Employees' Retirement System; to provide for purchase of service credit for time on leave without pay; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 998—**

BY REPRESENTATIVES GALLOT AND L. JACKSON  
AN ACT

To amend and reenact Code of Civil Procedure Article 966(B), relative to the motion for summary judgment; to provide for delays for filing; and to provide for related matters.

**HOUSE BILL NO. 1037—**

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 6:101(A), relative to banking; to provide for the authority of the commissioner of financial institutions; to provide for the authority of the legislature; and to provide for related matters.

**HOUSE BILL NO. 1048—**

BY REPRESENTATIVES BROOME AND JOHNS  
AN ACT

To amend and reenact R.S. 9:2800.2, relative to social workers, marriage and family therapists, and licensed professional counselors; to provide for the limitation of liability of social workers, marriage and family therapists, and licensed professional counselors; and to provide for related matters.

**HOUSE BILL NO. 1062—**

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, AND LANCASTER  
AN ACT

To amend and reenact R.S. 4:707(A)(introductory paragraph) and (B) through (G), 709(A)(introductory paragraph) and (B), 710, 711, and 713(A) and to enact R.S. 4:706(C) and 707(H) and (I), relative to the conducting and regulation of charitable gaming; to provide for the licensing and regulation of charitable gaming by the governing authority of a municipality or parish; to provide for the authority of the governing authority of the municipality or parish with respect to the regulation of charitable gaming; to provide for the regulatory authority of the office of charitable gaming, Department of Revenue, in relationship to the regulatory authority of the governing authority of the municipality or parish with regard to charitable gaming; and to provide for related matters.

**HOUSE BILL NO. 1279—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 11:1301, to enact R.S. 11:1336 through 1338, to designate R.S. 11:1301 through 1338 as Part I of Chapter 4 of Title 11 of the Louisiana Revised Statutes of 1950, and to enact Part II of said Chapter 4, to be comprised of R.S. 11:1341 through 1344, relative to the State Police Pension and Retirement System; to provide for definitions; to create an excess benefit plan; to provide with respect to qualification of the retirement system under Section 401(a) of the Internal Revenue Code; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1549—**

BY REPRESENTATIVES DEWITT AND JOHNS  
AN ACT

To amend and reenact R.S. 40:1299.44(C)(5) and (D)(2)(b)(x), (xi), and (xii), relative to the Medical Malpractice Act; to provide relative to the Patient's Compensation Fund; to provide for discovery; to provide for jury trials; to provide for the effect of certain provisions; and to provide for related matters.

**HOUSE BILL NO. 1591—**

BY REPRESENTATIVES MCDONALD AND THOMPSON  
AN ACT

To enact R.S. 33:2740.55, to create the Bastrop Downtown Development District; to provide relative to the boundaries and purposes of the district; to provide relative to the governance of the district; to provide relative to district plans; to authorize the governing authority of the city of Bastrop to levy and collect taxes and issue bonds on behalf of the district, subject to approval of district voters; and to provide for related matters.

**HOUSE BILL NO. 1598—**

BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 34:1959 and to enact R.S. 34:1959.1, relative to the South Tangipahoa Parish Port Commission; to provide relative to the commission's authority; to prohibit the authority from levying and collecting ad valorem and special taxes under certain circumstances; to require a special election for levy of ad valorem and special taxes in the future; and to provide for related matters.

**HOUSE BILL NO. 1619—**

BY REPRESENTATIVES MORRISH AND NEVERS AND SENATOR HOLDEN  
AN ACT

To enact Chapter 20-B-5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.48 through 3042.53, relative to a guaranteed loan program for certain nursing students; to authorize the Louisiana Student Financial Assistance Commission to make loans to certain students enrolled in certain nursing programs; to provide for legislative findings and purpose, eligibility requirements, commission rules and regulations, loan amounts, loan forgiveness, contract requirements, and funding; and to provide for related matters.

**HOUSE BILL NO. 1795—**

BY REPRESENTATIVE FUTRELL  
AN ACT

To amend and reenact R.S. 51:122 and to enact R.S. 51:1421, relative to monopolies and other business practices; to provide relative to the capacity of parent entities and wholly owned subsidiaries to conspire; to provide for requirements of franchise agreements; and to provide for related matters.

**HOUSE BILL NO. 1797—**

BY REPRESENTATIVE KENNEY

AN ACT

To amend and reenact R.S. 3:3105(B) and to enact R.S. 3:3107, relative to the importation of cervid species; to provide for entry requirements of cervid species into Louisiana; to provide for penalties; to provide for quarantines; and to provide for related matters.

**HOUSE BILL NO. 1800 (Substitute for House Bill No. 1076 by Representative Powell)—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 34:1951(A) and (B), relative to the South Tangipahoa Parish Port Commission; to provide for membership of the South Tangipahoa Parish Port Commission; and to provide for related matters.

**HOUSE BILL NO. 1809—**

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 56:1687(11), relative to the office of state parks; to authorize the secretary of the Department of Culture, Recreation and Tourism, in consultation with the board of commissioners of the Poverty Point Reservoir District, to make, alter, amend, and promulgate rules regulating recreational use of such water bodies; and to provide for related matters.

**HOUSE BILL NO. 1864—**

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 9:3578.6(A)(2), relative to deferred presentment and small loan lenders; to prohibit certain activities; and to provide for related matters.

**HOUSE BILL NO. 1891—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 15:542.1(H)(1), relative to registration of sex offenders; to provide relative to exceptions of registration requirements; and to provide for related matters.

**HOUSE BILL NO. 1943—**

BY REPRESENTATIVE LEBLANC AND SENATOR CRAVINS

AN ACT

To enact Chapter 31 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2091 through 2102, relative to the Lafayette Metropolitan Expressway Commission; to create and provide relative to the Lafayette Metropolitan Expressway Commission; to provide for certain definitions; to provide relative to the purpose, powers, jurisdiction, and duties of the commission; to establish a board of directors; to provide relative to directors; to provide relative to bonds, tolls, and other revenue; to provide relative to certain projects, acquisition of land, and utilities; to provide relative to public records; to provide for the cessation of tolls; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1956—**

BY REPRESENTATIVE WELCH

AN ACT

To enact R.S. 40:2405.4, relative to peace officers; to require applicants for jobs as peace officers to provide a DNA sample and fingerprint prior to commencing the discharge of duties as a peace officer; to require law enforcement agencies to conduct criminal background checks of applicants for the job of peace officers; to provide for voluntary testing of currently employed peace officers; to provide for the adoption of rules; to provide for storage of DNA material and procedures prior to testing; to provide for purposes for which the DNA may be tested; to provide for alternative samples; to provide for definitions; to provide for penalties for unauthorized use of DNA samples; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Lambert                      ½ Day

**Adjournment**

Senator Smith moved that the Senate adjourn until Saturday, June 21, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Saturday, June 21, 2003.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk